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The attention of the readers is drawn to the advertisements in this issue.

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LAW LIBRARY JOURNAL

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PRESIDENT'S PAGE

A recent president of the American Bar Association asked the membership, "How well are we as a profession keeping up with the times?" We might ask ourselves, "How well are we, as an Association, keeping up with the plans and recommendations made by committees and officers during the last five years?"

The special committees on Policy, on Committees, and on New Horizons made specific recommendations for development. Individual standing committees have advanced plans to further their work and officers and individuals have contributed ideas.

In the past five years there have been numerous achievements. Institutes have been successfully continued; the number of chapters has been doubled; a grant has been secured to study the feasibility of an index to foreign legal periodicals; a public relations committee and a press representative have been appointed; the *Law Library Journal* is no longer in the red and the fifty-year index is in the making; revised subject headings were made for the *Index to Legal Periodicals* and studies of the cost of a cumulation are in progress; the American Bar Association established a package purchase plan for its publications; microcards for legislative histories are available; recommendations have been made on the revision of the *ALA Cataloging Rules for Author and Title Entries*, and an extensive study of classification is before the Cataloging and Classification Committee; bibliographic studies have been made and other work has been done including the accomplishments of two of our newest committees: Microfacsimiles and Application of Mechanical and Scientific Devices to Legal Literature.

There are many problems before us. We must revise our studied projects for submission once again to a foundation. We do not have a permanent headquarters, nor have we found a plan or a source of funds to provide an executive secretary. Standards for librarianship and for certification are not established. The ABA has not agreed to record on microcards its out-of-print publications. Two projects are dependent on Congressional funds: the completion of Classification K by the Library of Congress, and the designation of partial depositories by the Superintendent of Documents.

It might be well for the Association to consider the periodic appointment of special committees with broad scope in planning. These committees would give pace and direction to the work of the Association.

HELEN HARGRAVE

The Book That "Made" the Common Law: The First Printing of Fitzherbert's *La Graunde Abridgement*, 1514-1516

by HOWARD JAY GRAHAM, *Bibliographer* and JOHN W. HECKEL,
Head Reference Librarian

Los Angeles County Law Library

I.

The earliest digesters, with their printers, are the prophets and unsung heroes of the Common Law.¹ It is strange more has not been made of their role and achievements. We can see very clearly today that it was in part because Nicholas Statham, Sir Anthony Fitzherbert, and later, Sir Robert Brooke, abstracted the "cases of the yeres," roughly ordered them by subjects, reduced practitioners' colloquies to procedural guides and principles, that English lawyers got to searching their books for *rules*, think-

ing more and more in terms of judicial *precedent*² rather than in the old terms of judicial consistency, writs, causes and forms of action. Fortuitously, printing made these first crude digests widely available at the very time English law was undergoing its heaviest challenge from the Continent.³ It doubtless would be an exaggeration to say that the Common Law was "saved" by printing. But certainly the Common Law as device, symbol and system was in considerable part a product of its own compilation, ordering and improved distribution. During the crucial early Tudor period, in particular, printing and simple

1. Basic tools for studying the technical development of the early printed English law book are COWLEY, A BIBLIOGRAPHY OF ABRIDGMENTS, DIGESTS, DICTIONARIES, AND INDEXES OF ENGLISH LAW TO THE YEAR 1800 (1932); BEALE, A BIBLIOGRAPHY OF EARLY ENGLISH LAW BOOKS (1926); ANDERSON, A SUPPLEMENT TO BEALE'S BIBLIOGRAPHY (1943).

On early Tudor printing in general, see BENNETT, ENGLISH BOOKS & READERS, 1475-1557 (1952); AMES, TYPOGRAPHICAL ANTIQUITIES (1749); 2d ed. 3v. (Herbert ed. 1785-90); 3d ed. 4v. (Dibdin ed. 1810-19); ISAAC, ENGLISH AND SCOTTISH PRINTING TYPES, 1501-1558 (1930-32) 2v., indispensable for facsimiles, with indexes by type size, letter combinations in volume 2. See also the other publications of the Bibliographical Society (London) listed in Graham, *The Rastells and the Printed English Law Book of the Renaissance*, 47 L. LIB. J. 6-25 (1954) n. 1; FLOMER, WYNKEN DE WORDE AND HIS CONTEMPORARIES FROM THE DEATH OF CAXTON TO 1535 (1925); BYROM, *Richard Tottell—His Life and Work*, 8 THE LIBRARY 199-232 (1928); REED, EARLY TUDOR DRAMA (1926).

2. See generally WINFIELD, THE CHIEF SOURCES OF ENGLISH LEGAL HISTORY 145-147, 155, and authorities cited at 158, n. 1 (1925); PLUCKNETT, CONCISE HISTORY OF THE COMMON LAW 342-350 (5th ed. 1956); Lewis, *The History of Judicial Precedent*, 46 LAW Q. REV. 207, 341 (1930), 47 LAW Q. REV. 411 (1931), 48 LAW Q. REV. 230 (1932).

On the changing character of the later Year Books—(from Edward IV.-Henry VII, 1460-1509)—and on the role of the abridgments, and particularly of the printed abridgments, in making citations and case evaluations more precise, see 1 SELECT CASES IN THE EXCHEQUER CHAMBER BEFORE THE JUSTICES OF ENGLAND lxxxviii-lxxxiii (Selden Society vol. 51, 1933) and vol. 2 at xiv-xxvii (Selden Society vol. 64, 1948). In vol. 2, note especially the significance of Fitzherbert at p. xxvi.

3. On the fifteenth century challenge of the civil law, see MAITLAND, ENGLISH LAW AND THE RENAISSANCE (1901); cf. 4 HOLDSWORTH, HISTORY OF ENGLISH LAW 238, 253, 262, 283 (3d ed. 1945).

indexing gave reader access, coherence and form; they accelerated future growth no less than did practice and utility.

Of the three books that contributed most to these subtle changes in ways of thinking and reacting—changes that lie at the heart of the Anglo-American system of jurisprudence—*La Graunde Abridgement*,⁴ compiled by Sir Anthony Fitzherbert,⁵ and printed in three huge folios, with colophon recording completion December 21, 1516, is the most memorable and important.⁶ It is indeed, so far as any single book can be, the decisive book—the book that "made" the Common Law.

Historically, physically, typographically, "Fitzherbert" is a *magnum*

opus.⁷ This is more than the basic book of the Common Law; it also is one of the largest and most beautiful. Viewed in terms of composition and presswork, it is the supreme achievement, not only of early Tudor law publishing, but of early Tudor publishing in general: 1,584 great folio pages, their type block alone measuring 7 by 10½ inches—larger than a modern royal octavo; the untrimmed leaf standing 11½ by 16 inches bound; the whole dwarfing regular folio Bibles or Year Books to quarto size. Yet this majestic work was printed a full generation before the Coverdale or Great Bibles, earliest editions of which (1539-1540) still were being printed abroad, though they involved no more composition, and certainly no greater pitfalls, than did this immense digest in abbreviated law-French.

La Graunde Abridgement thus remains one of the enigmas as well as monuments of early Tudor publishing and legal history. Printing historians have added immeasurably to knowledge of the English Renaissance. Yet this outstanding achievement has gone comparatively unstudied, unfathomed. For two hundred years it has been attributed⁸ to three different printers of London—Wynken de Worde, Richard Pynson and John Rastell—sometimes to the three separately, more often to Rastell working with one or both of the others. Authorities even have disagreed whether

4. Cowley 6. Statham's *Abridgment*, not Fitzherbert's, was the first printed English digest. It was printed by Pynson about 1490, and compiled 20 years earlier by Nicholas Statham, a baron of the Exchequer and member of Lincoln's Inn. (See Cowley 2 and Winfield at 206-220). Fitzherbert nevertheless remained the basic work from 1516 until the first edition of Brooke's *Abridgement*, printed by Tottell in 1573/4 (Cowley 66).

5. For Fitzherbert's life, 1470-1538, see 7 DICTIONARY OF NATIONAL BIOGRAPHY 168-170; 5 FOSS, JUDGES OF ENGLAND 167-169 (1857) and PUTNAM, EARLY TREATISES ON THE PRACTICE OF THE JUSTICES OF THE PEACE IN THE FIFTEENTH AND SIXTEENTH CENTURIES 32-42 (1924). Passages from the Year Books showing Fitzherbert's temperament and attitude toward "precedent" are collected by Lewis, *The History of Judicial Precedent*, "Appendix," 47 LAW Q. REV. 423-427 (1931).

6. See Cowley, cited *supra* n. 1, at xliii; Winfield, cited *supra* n. 2, at 231; 2 HOLDSWORTH, HISTORY OF ENGLISH LAW 544-545 (4th ed. 1946); Plucknett, cited *supra* n. 2, at 274-275. See also Thorne, *Fitzherbert's Abridgement*, 29 L. LIB. J. 59-63 (1936) for detailed analysis of the case-order in the longer articles of the *Abridgement*, and for conclusions regarding the manner of compilation. Cf. Winfield at 231.

For sixteenth century tributes to Fitzherbert, and evidence of the *Abridgement's* effect in accelerating organization of the Common Law, see the dedicatory prefaces of two important works which it inspired: STANFORD, EXPOSITION OF THE KINGES PRENOGATIVE (1568); THEOALL, LE DIGEST DES BRIEFES ORIGINALS (1579).

7. For best descriptive analyses, see Cowley, Winfield and Thorne cited *supra* n. 6.

8. Cf. Ames' attribution to Pynson (1749 ed. p. 120); Herbert's to de Worde (1785-90 ed. v. 1, p. 154, cf. 260); Dibdin's even greater puzzlement (3d ed. v. 2, p. 210, 455); works cited *supra* note 1. See also Winfield at 225 and Cowley at xliv.

there were two early editions, or only one. Herbert, the eighteenth century typographic historian, believed there were two—one printed by Pynson, or by Pynson and Rastell, in 1514; the other by de Worde, in 1516. Yet he had not compared copies closely, had examined only two or three, and attribution was guarded, if not equivocal.

Thirty years ago, after studying several Harvard and English copies, Professors Beale⁹ and Winfield¹⁰ concluded this two-edition tradition to be unsound. The most important copy-differences they observed were in the title pages and the tables of the third or possibly the second and third volumes—two different cuts and several settings of type were found. A distinctive "diamond" T, known to have been Rastell's, appeared in the first volume. Since the bulk of the text of all copies was set in the same 94mm bastard type—the identical font Rastell used earlier in the *Liber Assisarum* and later in his *Tabula* of the *Abridgement*—Beale and Winfield decided that Rastell had been the printer; that he possibly had had some help from Pynson, one of whose cuts was used on the first leaf of the first volume, along with the familiar royal arms-angel cut used in volumes two and three. But Beale and Winfield could find no evidence of de Worde's having had a hand, nor of anything

suggesting two separate early editions.¹¹

After a more detailed collation and comparison of several copies, Professor Cowley reached similar conclusions.¹² Rastell's prefaces in the *Liber Assisarum* and the *Tabula*; his references to "we;" use of his bastard type throughout in the *Abridgement*, but in combination with woodcuts known to have been used by Pynson and by de Worde; the magnitude of undertaking the three huge folios; and their completion by December 21, 1516, followed by completion of the exacting three-part *Tabula* fourteen months later—all this pointed toward cooperative, and perhaps even joint endeavor, of the sort known to have been common among sixteenth century printers. Cowley laid stress on Rastell's editorial labors and on the likelihood of cooperative printing, but the War and his tragic death in 1944 prevented pursuing the matter further.

II.

These uncertainties about one of the great ventures of early English publishing have proved an irresistible challenge nearly four and a half centuries after the event. Acquisition in 1956 of a personal copy of the *Prima pars* of the *Abridgement*, along with other examples of John Rastell's printing, presently prompted us to undertake a comparison of all recorded copies. What more could be learned, from internal evidence, and from a

9. Beale at 190; see also the note by Professor Beale in Winfield at 226. Professor Beale apparently was speaking from recollection in the latter statement. The mentioned first edition of Rastell's *Termes de la Ley* was not printed "before 1520," but in 1527 (See Cowley 10); and the second edition, not the first, of *Doctor and Student* was printed in 1528.

10. Winfield at 225-226.

11. *Id.* Comparison of copies has been very much facilitated in recent years by microfilm. Typographic study likewise has been aided by Colonel Isaac's work, published shortly after Beale and Winfield wrote.

12. See Cowley at xlv, xlvi, and works there cited; Winfield at 225-226.

census, about the printing and publishing history of this great book?

On behalf of the 25¹³ librarians and

13. This manuscript and the census and comparison of copies of the *Abridgement* have been made possible by the help and cooperation of others who are in no way responsible for our conclusions or errors. Our grateful thanks are extended to all copy owners. For special assistance, most generously tendered, we are indebted to Professor W. A. Jackson and Miss Anne Henry, The Houghton Library, Harvard University; Mr. D. G. Neill and Dr. W. O. Hassall, The Bodleian Library, Oxford University; Mr. K. Howard Drake and Miss D. A. Ramsey, The Institute of Advanced Legal Studies, University of London; and to the individual librarians whose names follow each copy of record, 1956-1958. (An asterisk has been used to indicate imperfect copies.)

- Copy A: British Museum (Dennis E. Rhodes)
 B: Bodleian Library, Oxford University (D. G. Neill)
 C: Cambridge University Library (H. R. Creswick)
 *D: Durham University Library (David Ramage; A. I. Doyle)
 *E-F: Harvard Law School Library (Earl Borgeson; Margaret M. Moody)
 G: Henry E. Huntington Library (Mary Isabel Fry)
 *H: Middle Temple Library (H. A. C. Sturgess; H. Beaven)
 I: Philadelphia Free Library (Ellen Shaffer; Howell J. Heaney)
 J: Worcester College, Oxford University
 *K: University of Michigan Law School Library (Hobart Coffey; Esther Betz)
 L*M: Law Library of Congress (Lawrence Keitt)
 N: Yale Law School Library (Samuel E. Thorne; Ralph S. Brown; Leon Nemoy)
 O: University of Minnesota Law School Library (Leon Liddell)
 *P: Trinity College Library, Dublin (Robert O. Dongan)
 Q: Lincoln's Inn Library (C. W. Ringrose; D. V. A. Sankey)
 *R: Bristol University Library (J. Shum Cox)
 *S: New York State Library (C. E. L. Donohugh; Ernest H. Breuer)
 *T: Harris Public Library, Preston, Lancashire (Jane Downton)
 *U: Howard Jay Graham
 V: Jesus College Library, Oxford University (D. G. Neill)
 W: Holkham Hall, Library of the Earl of Leicester (W. O. Hassall; D. G. Neill)

collectors who patiently have supplied information and photostats, it is a pleasure to report that what promised to be a complex bibliographic problem has proved in the end a comparatively simple one.

On the basis of returns from 23 copies, it is fairly certain that there was but one early Tudor edition of Fitzherbert; of that edition, however, John Rastell printed only the first of the three volumes, along with the three-volume *Tabula*;¹⁴ de Worde's primary responsibility for the second and third volumes is virtually established by discovery that the contrasting headings in these volumes are set in his 95mm textura type—in place, that is, of the 93mm textura type used in the *Prima pars*. De Worde's participation in the enterprise also is revealed by use of two of his royal arms-angel cuts, one¹⁵ on the title of all copies of the second volume and on the title of the majority of the copies of the third; the other¹⁶ on the colophon leaf of all copies of the third volume. The first leaf of seven copies of the third volume, however, bears

X: Professor Samuel E. Thorne, Harvard University

Y: Kings' Inn Library, Dublin.

Editor's note: It is regretted that space limitations have prevented inclusion here of the authors' full census and comparison of copies.

14. Cowley 7; Beale R462.

15. For a facsimile (reduced) of the de Worde title cut, see Cowley, Fig. 3.

16. The de Worde cut used on the colophon leaf of the third volume is smaller (89 x 128mm) than de Worde's title cut (170 x 212mm); the supporters are at the side of the shield, rather than below, and the top of the shield is horizontally shaded. For other uses of this colophon cut by de Worde, see *SIRECTUS, FORMALITATES* [1513?] (STC 22580, University Microfilms reel 153); and *HERE IS A LYTELL SHORTE CRONICLE* [1530] (STC 10012, University Microfilms reel 8). It is unlisted in the works of Hodnett and McKerrow.

Pynson's form¹⁷ of this royal arms-angel cut. It appears likely therefore that this observed variation may have given rise to the two-edition tradition—one edition being attributed to Pynson, or to Pynson and Rastell; the other to de Worde. By the same line of reasoning, the confusing similarity of these two cuts, the difficulty of comparing copies side by side, and the erroneous assumption that both title cuts were Pynson's, led Professor Beale to overlook evidence of de Worde's participation and to consequent failure to analyze copy differences more closely.

Notwithstanding appearance of Pynson's cut in seven copies of the third volume, it is typographically certain that none of the variant pages of these copies actually was printed by him.¹⁸ All such pages rather were

17. See Cowley, Figs. 4 and 5, for facsimiles of Pynson's cut, with its unshaded rose (top center) and one (rather than three) plants, bottom center.

18. The fine run of Pynson Year Books, 42-46, 48-50 Edward III (Beale R34-38, R40-42) in the Huntington Library affords opportunity to study Pynson's law production methods shortly after publication of the *Abridgement*. These Year Books, printed 1516-1518, usually with a device or colophon, and occasionally with a date, are uniformly set in a 93mm textura letter, new and sharp, without the use of contrasting type for names of judges and counsel. Pages are uniformly 40 or 41 lines, with occasional two-, three-, four-, or more rarely, seven-line initials. T's have plain parallel ascenders, in contrast to Rastell's "diamond" inset; s and w are uniformly Isaac's s² and w². Practice varied with reference to the use of ornaments to fill out short lines and in the spelling and abbreviation of "folio" in the foliation; but on the whole consistency of practice and appearance are striking. These same details and characteristics can be observed for the pre-Fitzherbert period in the *INTRATIO EXCELENTISSIMUS LIBER*, 1510 (Beale T283), one of Pynson's most beautiful books. (Copy, Los Angeles County Law Library).

The variant pages of the copies of the third volume bearing the Pynson cut are not printed in these types, nor in any types Pynson is known to have used. All are set in old, worn, nondescript bastard and textura fonts of odd sizes, as different from Pynson's work as from the bastard and textura

printed after Pynson's death (1530) and from 15 to 40 years after the original press run. Those¹⁹ in the British Museum, Jesus College (Oxford), Trinity College (Dublin), and one Harvard copy (title leaf only) probably were printed by Robert Wyer sometime between 1530 and 1533, but more likely about 1530, and during John Rastell's lifetime, in order to perfect copies presumably still held by Rastell (for whom Wyer is known to have done other printing).²⁰ Those in the unique Carson copy in Philadelphia²¹ probably were printed between 1543 and 1546 by William Middleton—successor once removed of Redman, who in turn was successor of Pynson. Finally, those²² in the Cambridge University and New York State Library copies (folio 8 only in the latter) were printed by Richard Tottell—a former apprentice of Middleton, and his successor twice removed—in 1553 or 1554, nearly 40 years after the printing of the rest of the volume! These various reprintings were made necessary, it is almost certain, by a "short count" or short press run of the first sheet at the time of the original printing in 1516.

Taken as a whole, these findings indicate that the great digest was printed in a large edition, possibly one of 750, but surely not more than 1000 copies;²³

type consistently used on all other pages of all three parts of the *Abridgement*.

19. Copies A, E, P, V.

20. Wyer's cut appears in the July 15, 1527 edition of Rastell's law dictionary (Cowley 10); he is believed to have been printer, or co-printer, of that work. (Cowley at lxxx). See FLOMER, ROBERT WYER, PRINTER AND BOOKSELLER (1897).

21. Copy I.

22. Copies C, S.

23. Edition-size presents a fascinating problem. It was large enough for the work to remain in

that it remained in print until shortly before Tottell's second edition of 1565—or, stating the matter in terms of economics and demand, the second edition probably was printed almost as soon as it was needed—confirming what one might presume from the primary importance of the book to mid-sixteenth century lawyers. Through-

print a half-century. Bennett, *op. cit.* n. 1, at 95, 226, and other authorities believe most books of the early period were printed in editions of less than 700 copies: "very special reasons were required to persuade a printer to print more than 600-700 copies of an ordinary work in the first seventy-five years of printing in England." (*id.* p. 228) Palsgrave's *Lesclarissement de la Langue Francoyse* (STC 19166), the 1000-page folio dictionary printed in part by Pynson, 1524-1530, was issued in an edition of 750 copies—probably near the maximum for a scholarly work. (*id.* p. 95, 226, and see Furnivall, *Pynson's Contracts with Horman for his Vulgaria*, and Palsgrave for his *Lesclarissement*, with Pynson's *Letter of Denization*, PHILOLOGICAL SOCIETY TRANSACTIONS 362-374 (London, 1867); for further data on law edition-size, see Plomer, *Two Lawsuits of Richard Pynson*, 10 THE LIBRARY 115-133 (2d ser. 1909)

One scrap of evidence fortunately has come down to us which suggests this figure as a likely maximum also for the *Abridgement*. In 1536, beggared by debt, at odds with his family and with More, and imprisoned by Cromwell, Rastell addressed a pathetic appeal (see 2 ELLIS, LETTERS ILLUSTRATIVE OF ENGLISH HISTORY 308-312 (3d ser. 1846) to the chief minister, reciting his former accomplishments, and among them those as printer. He had, he said, at the height of his prosperity, made more from his printing business than from his law practice, which at that time had brought in 40 marks (about £27) a year. Moreover, he had "printed every year two or three hundred ream of paper." Accepting this maximum figure, assuming Rastell to have printed all the first volume of the *Abridgement*, that he did so in approximately a year's time (see Cowley at *slv*), and that this represented his maximum output, with little other work produced in that year (1514?), we arrive at the following calculation: 1000 copies of 150 sheets (i.e., 300 leaves) equal 300 reams. The first volume of the *Abridgement*, the largest, has 287 leaves. So 1000 copies would be the maximum, assuming correctness of Rastell's recollections. Rastell may not have been solely responsible for the first volume, but he may have done some other printing. Six or seven hundred copies thus appear a fair maximum. Of these, perhaps five per cent (allowing for still unrecorded copies) have survived. The exceptionally high survival is explained by the folio size, heavy binding, and continuous use and value.

out this period, 1516-1560/65, the remainder sheets were carefully guarded assets, passing from printer to printer until exhausted. The fact that the textura type used in the second and third volumes is de Worde's, and that his cut strongly predominates in surviving copies, does not, of course, of itself prove that his shop was responsible for the *printing* of these volumes; much less, that his shop *alone* was responsible. De Worde sometimes lent cuts—including this one of the royal arms.²⁴ Moreover, he is believed to have been a type founder as well as printer. In that capacity he apparently supplied types for several of his former apprentices²⁵ who continued to job-print for him and who, in the period after 1517, were using the distinctive de Worde s³ in their own work.²⁶ Such circumstances preclude certainty as to the actual printers, but there are good grounds for belief that de Worde—or printers working with or for him—had a hand in the Fitzherbert enterprise. A detailed comparison of copies revealed evidence of participation of a number of compositors and pressmen.²⁷

24. See 1 Isaac, *op. cit. supra* n. 1, "John Scolar" on leaf preceding Fig. 47.

25. See REED, A HISTORY OF THE OLD ENGLISH LETTER FOUNDRIES 89-91 (1887); (2d ed. 1952 at 84-87).

26. See 1 Isaac, "De Worde," and Bennett *op. cit. supra* n. 1, at 182-191. For the similarities of Skot's, Scolar's and R. Copland's type to de Worde's, see the facsimiles under these printers' names in 1 Isaac.

27. Note especially differences in the running titles used on the inner and outer forms of the longer articles: *Avouwe*; *Aide de roy*: E 7-8v, F 1-4r, F5v.; *Aide de roi*: F 1-4v, F5r; likewise variance in typographic practice early in the first part in the "pointing" of the numerals of the plea numbers; some compositors consistently pointed on the right side, some on the left, some erratically. Cf. *Accompt*, *Accord*, *Addicion*, etc. Commencing with signature H, points were omitted entirely!

III.

The clues that determined the course of investigation leading to these discoveries were in themselves simple. Preliminary analysis revealed that the one tell-tale letter which would serve to establish de Worde's connection with the venture was a 95mm textura s³ with pronounced hook-like serifs, both top and bottom.²⁸ De Worde, alone of London printers, according to the late Colonel Isaac, the distinguished authority on early Tudor types, had used such a letter at this date, introducing it in 1514, "and slowly at first." This distinctive letter could not be found at all in the first volume of Fitzherbert. Yet examination of facsimile title pages of the third volume, reproduced as illustrations in Cowley's *Bibliography of Abridgments*, revealed its use twice in one line in the reproduction of the Bodleian copy²⁹—the only s's in the only line of 95mm textura on the page! Significantly, the royal arms-angel cut used on this title page was one de Worde had used in other books,³⁰ including several printed at this time. All have the Tudor rose heavily shaded, with *three* plants at the base.³¹ Immediate examination of the Huntington Library's copy of the Fitzherbert—known to have the title cuts in this state in both the second and third volumes—revealed presence of the hooked s³ in the textura type throughout both volumes. Yet the dis-

tinctive letter did not appear in all signatures,³² supporting Isaac's statement of gradual introduction. Clearly, in 1515-16, the s³ had not yet reached all compositors' cases.

The question immediately arose whether this same s³ appeared in copies bearing the other state of the royal arms-angel cut—namely, the unshaded rose-one plant state found generally in books printed by Pynson or by his successors.³³ In short, had the same type—or different—been used in these differently-titled copies? If the type was the same, had it been reset? Fortunately, the microfilmed British Museum³⁴ copy was known to have the Pynson cut on the title of the third volume. A preliminary examination revealed that the hooked s³ appeared throughout, at every point checked. So the major parts of the volume, at any rate, certainly had not been reset. Furthermore, measurement of the size of the textura type used for contrasting headings in the second and third volumes showed this textura to be slightly larger than that used in the first volume—95mm for

32. Nor does it in de Worde's *Chronicle*, 1515 (STC 9985). It is the commoner letter, however, in his Capgrave, [1516] (STC 4601) where its appearance seems to correlate almost perfectly with those signatures and parts of signatures the foliation of which is abbreviated *Fo*. The s³ is absent or is less common in signatures headed *Folio*. These two forms alternate signature by signature through much of the Capgrave. Beginning with signature p both forms appear within the same signatures, as they do also within c, e, i-k, of the *Chronicle*. De Worde's shop and production methods of this period obviously can be clarified by study of these works.

33. See Cowley, Fig. 4-5; Beale, Fig. 8, at 218. Beale's list of uses of the Pynson cut is incomplete, even for law books, and he was unaware the "new draft, with the rose filled in" and other minor differences were de Worde's rather than Pynson's. Sixteen works issued 1510-1553/54 are known to bear the Pynson unshaded-rose, one-plant cut, the last being the use by Tottell.

34. Copy A.

28. See 1 Isaac, Fig. 1 and following page.

29. See Cowley, Fig. 3.

30. The list includes, in addition to the title pages of Fitzherbert, v. 2-3, his *The Cronycles of Englande*, 1515 and 1528 (STC 9985; 10002) and Capgrave, *Nova Legenda Anglie*, 27 Feb. 1516 (STC 4601).

31. See Cowley, Fig. 3.

20 lines rather than 93. Use of such type might mean, on the average, one less line per page. Sure enough, the second and third volumes were found to be set 56 lines per 265mm average page, as against 57 lines in the first volume! This too was consistent with the known facts; de Worde generally had used a 95mm textura font; Rastell and Pynson, a 93 for law work.³⁵

If even the copies bearing the "Pynson" cut were in "de Worde's" type, two editions appeared highly improbable. The variant yet similar woodcuts could readily explain the confusion. Both Pynson and de Worde, it was found, had used their respective cuts over a period of many years.³⁶ The two printers' textura types looked much the same.³⁷ Reasoning solely from the woodcuts, and from a superficial examination of the textura, the *Abridgement* could be assigned to either printer, and it had in fact been assigned to both repeatedly.

But were there no further copy differences? What about the tables on the back of the first leaves? What of the type and setting of the conjugate and adjacent leaves? Of the entire first signatures? Examination confirmed that the tables to the individual volumes—which necessarily had been printed last, after the volumes were completed and folio references

possible—existed in several different settings, at least for the third volume. Types used in these resettings, together with the state of the title cuts, might afford clues to the participating printers.

Our working hypothesis was that Pynson, a member of a "syndicate" responsible for some signatures of at least the third volume, had imprinted the title cut on the recto of the first leaf, but for some reason had failed to perfect the sheet, necessitating the various settings later. A second working hypothesis concerned an apparently significant difference in the collation of the first volume: Cowley³⁸ called for the first three signatures to be signed in capital letters, while our first observed copies were all signed in lower case. This difference, it was reasoned, might have arisen if the publishers had reprinted a second run of the first three signatures in order to increase the size of the edition in response to exceptionally strong, and underestimated, early demand.³⁹ Questionnaires sent to copy owners were so drawn as to identify possible variant first signatures in all three volumes and to determine whether there were other variant signatures at other likely points.

The second major clue developed more gradually, and only as evidence mounted that there had in likelihood been but one edition, with the variant pages limited merely to the first sheet of the third volume. As photostats of these variants came in, and as type measurements and letter combina-

35. See *supra* note 18, *infra* note 37.

36. See *supra* notes 30 and 33.

37. Compare the facsimiles in 1 Isaac, Fig. 2, 1, 6, 8 (de Worde) and Figs. 13-15, 19 (Pynson). The textura (conventional black letter or "Gothic," used by Pynson for most of his law printing including Year Books, reproduced by Isaac, Fig. 19 (from STC 9553, not 9594, as identified) generally measures 93mm for 20 lines, rather than 95mm as given by Isaac. Paper shrinkage and worn type make for minor variations, but Pynson's and Rastell's textura seems to have been consistently smaller than de Worde's 95.

38. Cowley 6.

39. See MCKERROW, INTRODUCTION TO BIBLIOGRAPHY FOR LITERARY STUDENTS 178 (1927). The observed difference proved to be a slip in the collation.

tions narrowed the number of possible printers, it developed that in every case the most likely printer of the variants—i.e., of the tables and of folio 8 of the "Pynson-cut" copies—was one who would have had to have done the job from 20 to 40 years after the original publication. Even conceding that no second edition⁴⁰ had been printed until 1565, one was at first reluctant to believe that Tottell, for example, had printed these variant pages of the first signature of the Cambridge copy, after 1550. Reluctant, that is, without some corroborative evidence. Could any be found?

The borders of the Pynson cut had deteriorated very little over the years, and as a dating clue such evidence is notoriously unreliable in any case—poor inking, lint and the like giving the impression of spurious breaks, careful presswork often masking real ones. Wormholes, McKerrow⁴¹ emphasizes, afford virtually the only reliable means of dating woodcuts. Were there any? Reexamining facsimiles and photostats of the title of the Cambridge copy, it appeared that there were, indeed—possibly 25 in all! But were they in the cut, or merely in the paper? Side by side with Cowley's Figure 5, reproducing the Cambridge title page, was his Figure 4, reproducing the title of the "British Museum" copy (actually the Carson copy at Philadelphia Free Library).⁴² The most conspicuous holes in Figure 5 did not appear in Figure 4—and this fact earlier had led to the false con-

clusion that the wormholes *were* in the paper. Closer scrutiny now revealed an identical hole in the lower fleur-de-lis of the quartered arms of both cuts. Only the most voracious, erudite, and oriented worms would have hit that identical spot in the paper twice! Line-by-line comparison of the state of the Pynson cut, as used in the Cambridge copy, with the state in two editions of the *Great Booke of the Statutes*, known to have been printed by Redman and Middleton respectively about 1534 and 1546, left no room for doubt. The cut had indeed become progressively wormed after it left Pynson's hands; the majority of the holes visible in Cowley's Figure 5 *were* in the cut, not in the paper. Hence they afforded a potential check on typographical evidence.

Thus it presently was discovered that Tottell, as the ultimate holder of the cut successively used by Pynson, Redman-Wyer-Middleton,⁴³ and perhaps by William Powell, last employed it in 1553 or 1554 to reprint enough first sheets to perfect the first signatures of the remainder of the original edition that had come into his hands along with the cut. This also is in accord with other evidence, for at this very time Tottell did this same thing with the remainder stock of William Rastell's first edition (1531) of the *Register of Writs*. That is, he reprinted only the necessary indexes (the first two signatures) and re-

43. For the succession of the various law printers and of their types and cuts, see the tables in Bask Ch. 4, at 175-210; similar information in *Issu passim*; also the "Notes on the transfer of devices from one printing house to another," and the "Reversed list of transfers" in MCKERROW, *PRINTERS AND PUBLISHERS' DEVICES IN ENGLAND & SCOTLAND*, 1485-1640 164, 188 (1913).

40. Cowley 56; Beale R465.

41. See work cited n. 39, at 115; also MCKERROW and FERGUSON, *TITLE-PAGE BORDERS USED IN ENGLAND & SCOTLAND, 1485-1640* xix ff. (1932).

42. Copy I.

44. S.
45. S.
collation
laws, an

issued the volumes, in this case with a new title page bearing one of his own cuts. Earlier, Tottell's master, William Middleton, is known to have similarly "pieced out" an edition of Froissart's *Chronicle* in this same manner about 1545, using as many sheets of Pynson's original edition of 1523-25 as were available. Surviving copies of this Froissart thus vary greatly in typography and collation.⁴⁴ And Middleton (or his successors) also did this same kind of piecing out, at about this same date (1546) for at least one copy of the Fitzherbert; this is to say, the worming of the cut in the Carson (Philadelphia) copy, judged in relation to the state of the same cut in the 1523 Froissart, the (1545?) *Great Boke of the Statutes*, and the title leaf of the Fitzherbert (printed by Tottell in 1553 or 1554) leaves little doubt that the unique Carson copy was printed at about the same date as Middleton's edition of the *Great Boke of Statutes* (1543-45).⁴⁵

All variant copies of the *Abridgement* having the Pynson cut and the resetting of the table and folio 8 in the third volume are therefore conjectured to have arisen from the same causes and in substantially the same manner; for some reason the original printing of the first sheet of this volume had been a "short count" or press run—perhaps merely enough copies to satisfy immediate demand. Because the remainder of the original run was not printed as planned—owing to pressure of other work, or perhaps partly as a result of the ravages of

time on unbound sheets over a long generation—it eventually became necessary for printers and stationers *still having stocks of sheets of the third volume* to reprint folios 1 and 8, *if they could*. Wyer, Middleton, and Tottell, as law printers, were able to do this. Other printers and dealers, we find, were not—for three copies of volume 3 are today found lacking folios 1 and 8, that is, the entire first sheet.⁴⁶

It must be remembered in this regard that the digest was an expensive work for its day—the three volumes selling, as the price note at the head of the third volume announced, for "40 shillings," the equivalent of £100-200 or more today, depending on the manner of reckoning prices, inflation and purchasing power.⁴⁷ It was produced, and sold, a volume at a time as issued. Probably not all original purchasers of the first and second volumes managed to complete their sets. So over a period of years this too would have left a number of second-hand sets to be completed from publishers' or dealers' stocks of the third volume. It can be seen therefore how and why this first signature of the third volume—the last signature to be printed in 1516 because it contained the index to that part—happens to be the variant section of the work.

One other potentially important discovery identifies more precisely the date by which the *Secunda pars* of the *Abridgement* was completed. De

46. Copies H and M are in this state. Copy E lacks folio 8. Since its title has been added from another volume, it seems quite likely that this copy too originally had the imperfect first signature.

47. Rastell, a well placed lawyer, earned about £27 a year from his law practice in the 1520s (see *supra* n. 23); eight pence was the daily wage of a skilled craftsman.

44. See 2 AMES 506-510 (Dibdin ed.).

45. Surviving copies of this work vary widely in collation owing to binding up of different session laws, and possibly to later sophistication.

Worde's royal arms-angel cut appears in three different volumes printed 1515-1516; all bear dated colophons: (1) the *St. Albans Chronicle*,⁴⁸ dated simply "1515"; (2) Capgrave's *Nova Legenda Anglie*,⁴⁹ dated "February 27, 1516"—(i.e., 1515/16); (3) the *Ultima pars* of the *Abridgement*, dated "December 21, 1516." Because of their physical size, and the magnitude of the printing job, Professor Cowley suggested⁵⁰ that these second and third parts must have taken about a year each to complete, assuming that the same printers or shop did the work. Roughly, this would date the *Secunda pars* as going through the press in 1515, the same year as the colophon of *St. Albans Chronicle*—itself a substantial folio on which de Worde lavished exceptional care. Fortunately, a small hinged piece, obviously in the process of breaking away from the top inner border line of the cut, still shows clearly in the Huntington copy of the *Secunda pars*, and at the precise point where a clean break appears on the cut in the Library's copies of the *Chronicle*, the Capgrave, and the *Ultima pars*. Granting the vagaries of inking and of border breaks in general, this is fairly conclusive evidence that the title-table leaf of the *Secunda pars*, which necessarily was printed last because of the folio references in the table, was in fact printed earlier than the *Chronicle*—i.e., printed *before* 1515, and possibly early in 1514.

IV.

How well these findings harmonize is evident when Pynson's and de

Worde's production for the crucial years 1514-16 is analyzed in relation to Rastell's. At the heart of the problem is the crowded chronology which cautions that John Rastell simply would have been too deeply involved in his self-assigned task of "ordering [Fitzherbert's] calendars," of "numbering the quotations and referments therein,"⁵¹ above all, in *printing* that exacting three-volume *Tabula*,⁵² while *promoting and planning his abortive expedition to the New World*, ever to have printed—in addition and unaided—three such immense folios as the *Abridgement* proper. To have done more in the time between finishing the *Book of Assises* (1513-14) and the colophon date in the third volume of the *Abridgement* (December 21, 1516) strikes one as utterly improbable. Professor Reed's research itself suggested as much,⁵³ as Professor Cowley presently observed.⁵⁴ Rastell was no professional printer, but rather a born dilettant-enthusiast. His voyage was grand enterprise in itself. To conceive, plan, outfit and undertake an expedition⁵⁵ involving royal permission and support, cooperation of the Admiralty, an intended three-year absence, and the presence of soldiers, trading goods, "tools for masons and carpenters, and other engines"⁵⁶—to have done all this in the yeasty years

51. See LIBER ASSISARUM (Beale R48-49), Rastell's "Prologus." The passage is quoted by Cowley at xlv, and hereafter.

52. Cowley 7; Beale R462.

53. Reed, *op. cit. supra* n. 1, at 202-205.

54. Cowley, at xlviii, n. 2.

55. See Reed, *op. cit. supra* n. 1, at 11-12, 18-201, and WILLIAMSON, THE VOYAGES OF THE CANTON AND THE ENGLISH DISCOVERY OF NORTH AMERICA UNDER HENRY VII AND HENRY VIII 85-93, 244-250 (1931).

56. *Id.*, Reed, Appendix I.

48. See *infra* note 65.

49. See *infra* note 66.

50. *Op. cit. supra* n. 1, at xlv.

while his brother-in-law, Sir Thomas More, was writing *Utopia*⁵⁷—hardly is consistent on its face with a simultaneous, single-handed completion of the greatest printing job of these early years of King Henry's reign.

These general grounds for skepticism thus are more than vindicated by present discoveries: Rastell's distinctive "diamond" T's and his w's appear only in the first volume;⁵⁸ the pages of that volume alone are set in the 93mm-57 line forms consistent with Rastell-Pynson work; the two final parts are in the 95mm-56 line forms consistent with de Worde's; these final volumes bear also de Worde's cuts and use his distinctive s³, none of which appear at all in the first volume. Last but by no means least, these second and third parts are much more evenly set⁵⁹ and printed than the first,

and this fact too is consistent with the high quality of de Worde's best work of this period.

Taken together, and with long-standing tradition which associates de Worde with early printing of the *Abridgement*, these findings point toward one conclusion: John Rastell commenced—or as he himself put it—"enterprised"⁶⁰ the project of bringing out the great digest in printed form, with its every plea numbered and with many cross-referenced, but he was unable, if originally he ever had intended, to print the entire work in his own shop. "The aid and help of divers other gentlemen"⁶¹—including Wynken de Worde and perhaps even several of de Worde's former apprentices, and probably also Pynson, the experienced Royal and law printer whose cut appears in all copies of the first volume—eventually became necessary, if it had not been anticipated when Rastell first announced publication in the prologue of the *Book of Assises*. He there spoke, it will be remembered, in the plural "we."

Support for this conclusion-hypothesis is to be found also in the sur-

57. First published 1516; Professor Reed credits More with whetting Rastell's and the King's interest in exploration, *id.* 11.

58. His distinctive bastard w⁴ and textura T with a "diamond" center (see 1 Isaac Fig. 36, 42) both so conspicuous in the *Liber Assisarum*, and used along with w^{5a} (1 Isaac Fig. 36) in the first part of the *Abridgement*, significantly are not found at all in the second and third parts, nor is w^{5a}. In their place are w² (both large and small) and a plain T with parallel ascenders—both letter forms commonly used by de Worde during this period, and also of course by others. Only a few large w² are found in the first part, mainly in the running titles; whereas w² is used exclusively in the other parts. For evidence of the striking frequency of the bastard w⁴ in the first part, see folios 13r, v; 24r; 53v.

59. Apparently compositors of the *Prima pars* regarded the textura and bastard capitals as interchangeable, using either where one was needed, despite a slight difference in the size of the type faces. Much more discrimination was maintained in the two final volumes.

Probably the improved appearance and evenness of the page in these later volumes also resulted from the fact that new types were used in them to produce the resulting 56-line (rather than the former 57-line) page. Since there are no apparent differences between this new bastard face and that used in the first part, it is reasoned that large additional quantities of type had to be cast for the two final

volumes; that the new 95mm textura thus also produced included the s³ which de Worde is known to have commenced using "about 1514"; that the bastard letter used in volume one,—and heretofore on a 93 or 94mm body—was recast, either by or for de Worde, and on a 95mm body, to go with his new and old 95mm textura fonts.

60. Typographical evidence does nevertheless suggest that the same shop or printer was responsible for the entire first part. Quite as significant in this regard as the type-size and lines-per-page differences earlier noted, between the first volume and the second and third, is the fact that "folio 7" (the conjugate of the title-table leaf and hence the last sheet printed) also has the "Rastell" w^{5a} and the diamond T. In copies G and U moreover, these leaves, with those of the *Residua* section (also printed last) all are much more heavily inked than adjacent pages.

61. See *supra* note 51.

prisingly light recorded output of both Pynson's and de Worde's presses for 1514. Judged in relation to the years immediately before and after, and assuming only that each of these leading shops maintained about the same number of hands and rate of activity from year to year, there is an apparent void in their production⁶² for

62. See the printers' known and probable works listed by STC numbers under the years 1513-1517 in MORRISON, INDEX OF PRINTERS, PUBLISHERS AND BOOKSELLERS IN POLLARD AND REDGRAVE (1950). Cf. the older lists in DUFF *et al.*, HAND-LISTS OF BOOKS PRINTED BY LONDON PRINTERS, 1501-1556 (1913), and the tables (legal works only, arranged by year) in BEALE *op. cit. supra* n. 1, at 187 (Pynson) and 208 (de Worde).

From these lists, Pynson's production for 1514 appears to have been below normal, amounting to only five small works, including a *Book of Hours* (STC 15917) shared with de Worde, and an edition of *Magna Carta* (STC 9267, Beale S4). Production picked up in 1515—even though some of the dating is tentative—with sixteen works, including three folio law books (STC 9361, Beale S116a: Statutes 3-4 Hen. 8; STC 9807, 9813, Beale R273 [1518?]; Year Books 6-7 Ed. 4; STC 23879, Beale T70: Old Tenures) and a number of substantial quartos. Pynson's production for 1516 was especially heavy—including, besides six quartos and the folio editions of Littleton (STC 15724, Beale T8) and *Natura Brevium* (STC 18388, Beale T82 [Beale dates as 1519?]), his masterwork, Fabyan's *Chronicle* (STC 10659) and a handsome index to Capgrave (STC 4602).

1514 thus stands as a light year. Work on either the *Liber Assisarum*, or the first volume of the *Abridgement*, might explain this apparent lightness. The title cut in volume 1 admittedly is Pynson's; the contrasting textura type used there and in the *Liber* is the same size (93mm) and very similar to that Pynson used for law work. His possible participation cannot be as heavily documented as de Worde's, but under the circumstances loan of compositors or pressmen, if not of types and equipment, remains a possibility.

De Worde's production also is seen to be light in 1514—10 items, all quarto or smaller. Output for 1515 is harder to estimate—many STC dates and attributions are tentative and queried—but included, besides 8 known quartos and a dozen "possibles," the handsome folio edition of the St. Albans *Chronicle* (STC 9985). The year 1516 saw production of 8 quartos and a folio edition of Capgrave's *Nova Legenda Anglie* (STC 4601), one of the handsomest of de Worde's works. Thus 1514 again is the light year. Assuming that de Worde did commence the second and third volumes at that time—while Rastell (and perhaps Pynson) was struggling with the first

1514—the date when editing and printing of the *Abridgement* are known to have commenced, and the date when the state of the title cut of the *Secunda pars* suggests that the printing of that volume probably was under way. This void is accounted for if we accept the typographic and woodcut evidence pointing toward participation of both printers—if we credit, that is, the force of Rastell's "we." Granting the evidence is circumstantial, it fits together in an impressive harmonious whole.

If these findings and interpretations are correct, it may fairly be asked whether *La Graunde Abridgement* is not one of the keys to London book production for the period 1514-1517. Except for various service books involving ecclesiastical patronage and color printing, this is the supreme undertaking of that period. It would

—the *Chronicle* and the Capgrave must then have interrupted his work on the *Abridgement*, delaying completion of at least the final volume until the colophon date, December 21, 1516.

De Worde of course had contract and job relations with various printers—Robert Copland, John Skot, John Scolar, among others, several of whom trained or worked in his shop. Sub-contracting therefore remains another possibility; de Worde may have enlisted the aid of these or other free lances—even have supplied type for Scolar or Copland, both of whom presently are found using a 95mm textura with the hooked de Worde s³. (See 1 Isaac, Fig. 45-47). Isaac records that Scolar at Oxford even was using de Worde's royal arms-angel cut, as well as a font of his type, in 1517. (1 Isaac, "John Scolar"). Printing historians now are convinced "there was far more interrelation between the early printers than has sometimes been thought, and modern study of types, woodcuts, printer's ornaments and borders reveals this. We constantly find books being printed by one printer for another, either as a routine matter of business, or at times perhaps to help a colleague out of a temporary difficulty." (Bennett *op. cit. supra* n. 1, at 235). *La Graunde Abridgement* obviously is one of the most likely candidates for such cooperation. Advanced typographic detective work such as clarified the history of early English drama no doubt eventually will provide answers to these questions.

seem virtually to have required the type of cooperation Pynson and de Worde had begun with their joint editions of *The Book Named the Royal*⁶³ and *The Golden Legend*⁶⁴ in 1507. Yet if both printers did participate in some way, they also had, and continued to pursue, ambitious projects of their own: de Worde, his reprint of the *St. Albans Chronicle*⁶⁵ (1515) and his Capgrave's *Nova Legenda Anglie*⁶⁶ (1516); Pynson, his 854-page first edition of Fabyan's *Chronicle*⁶⁷ (1516). Possibly the blank initial holes throughout the *Abridgement* resulted in whole or part from de Worde's and Pynson's use of every available block in these simultaneous competing projects.⁶⁸

63. STC 21430 (de Worde colophon); STC 21430a (Pynson colophon); generally regarded as the first book known to have been printed in England by a partnership of two printers, COLLISON, BOOK COLLECTING 80 (1957).

64. STC 24877.1

65. STC 9985; Huntington 59602, on one copy of which appears Pynson's royal arms-angel cut (rather than de Worde's). Cf. leaf aal of Huntington copy (de Worde) and leaf Aal of the British Museum copy C33m2 (Pynson) on University Microfilms reel 4. If physical examination of the British Museum copy rules out likelihood of sophistication, this presence of the Pynson cut in some copies of the de Worde-colophonized edition will be another link indicating close, and in this case, possibly reciprocal, cooperation between de Worde and Pynson, 1514-16. It will raise the question of how much more than an interloan of cuts was involved in these variantly-illustrated (and in some cases, variantly-colophonized) works; whether the two cuts were not originally developed for some joint enterprise after Pynson's appointment as Royal Printer in 1509, or possibly the de Worde state was made for the *Abridgement-Chronicle* enterprise of 1514-1516. Growing evidence of the two printers' cooperation on major works at this period should stimulate a closer study of their output and typography.

66. STC 4601; Huntington 45575. The dated colophon "27 Feb. 1516" is sometimes assigned to the year 1516/17, but the state of the de Worde cut in the Huntington copy appears to be earlier than that in State 1 of the Fitzherbert, part 3 colophonized December 21, 1516.

67. STC 10659.

68. Rastell had few initials or borders of his own.

One fact in any event has an unquestioned significance: almost a half century elapsed before the full edition of the *Abridgement* was disposed of and the producers' capital refunded. This in itself testifies to the unique scope and nature of the enterprise. Along with the voyage of 1517, the *Abridgement* and *Tabula* thus very likely were a major source of those mountainous debts which Professor Reed has shown burdened Rastell during the 1520s and until his death in prison in 1536.⁶⁹

V.

The final question concerns the nature and extent of that editorial work which Rastell and his associates did on Fitzherbert's manuscript. Their plan to index and publish the digest was announced by Rastell in a characteristic prologue to the *Liber Assisarum* (1513 or 1514). "This present book," he assured, "now done and completed in great haste," with its pleas numbered and cross-referenced to the *Assise* and *Corone* sections of the still-unprinted digest, was but the merest beginning:

(We) have not intended . . . to rest hereat. But we purpose further to

The poverty of these is shown by use of several of the same crude slabs on the titles of the *Liber Assisarum*, [1513-14?] (see Reed, figure facing p. 20 for reproduction) and *A C [Hundred] Mery Talye*, 1526. Likewise, by the vacant initial holes left in both of these works, and also in later works, *viz.*, *A New Boke of Purgatorye*, 1530 (STC 20719-20). The old practice of leaving initial spaces blank with small guide letters for illuminators of course still affords a tacit alibi for printers. But few law books were ever illuminated, and by 1516 the more expensive English books, like those of the Continent, had woodcut initials. For descriptions of Pynson's main series of initials, on which heavy demands obviously were made by the 1516 Fabyan, see Beale at 187. See also *supra* note 18.

69. See *supra* n. 23, and Reed, Ch. 1.

put in print another book which by God's grace shall be better done and with much more diligence . . . Which other book shall be a great book of abridgements of argued cases ruled in many years of divers sundry kings containing 600 or 700 leaves of great paper with divers great tables belonging thereto contrived, ordered and numbered with figures of algorism for the great expedition and furtherance of the students of this law.⁷⁰

Then came Rastell's binding personal commitment:

And though that I myself of small learning and discretion have enterprised with the help of divers other gentlemen, and taken labors and also intend more labors to take, as well for the ordering of the calendars of said great book of abridgements as in the numbering of the quotations and referments of the cases therein, yet the only praise of the making of the said great abridgement ought to be given to Anthony Fitzherbert, serjeant at law, which by his great and long study of many years continuing hath compiled and gathered the same.⁷¹

Professors Winfield⁷² and Cowley⁷³ both leave the impression, as Rastell himself does in his later preface to the *Tabula*⁷⁴ (1517), that he managed to

complete these jobs for the first part of that work. The implication thus has been that while the unfinished second and third parts of the *Tabula* merely are lists of citations to the Year Books (by year!) organized under appropriate subheads, the whole of the first part of the *Tabula* as published does provide also the case—or plea-number—that is to say, a *specific* reference—in addition to the cited year. As a matter of fact, the plan of "ordering and numbering" the individual cells of the body of the Common Law broke down even before the first volume of the *Tabula* was completed. What went wrong?

One significant clue is that the titles or subjects for which plea numbers are given are practically all short minor ones. Obviously, there was something about Fitzherbert's manuscript or plan of organization, or about John Rastell's method of working, which defeated the original purpose. What could this defect have been?

As we read the evidence, it was simply that the *Tabula* and the *Abridgement*, while in fact constituting one project, had not been conceived or planned as such, *especially in early stages*. Rather, the two had grown up independently and evolved over a considerable period. Result was that a numbering system which had proved a brilliant innovation, when applied on a limited scale in the *Book of Assises*—a project limited to but two broad subjects, *Corone* and *Assise*—broke down utterly when it was extended.

The situation basically was this: Fitzherbert, over a period of years had assembled and digested—or, as Rastell put it, "gaddered and compyled"—a

70. Beale R48-49; STC 9599. The quoted passage, with spelling and punctuation modernized, is from Rastell's "Prologus," a stirring essay in praise of English law, reprinted in 1 AMES 339-340 (Herbert's ed.) See also Bolland, *The Book of Assises*, 2 CAMBRIDGE L. J. 192-211 (1925).

71. "Prologus," *supra* n. 70.

72. *Op. cit. supra* n. 2, at 228.

73. *Op. cit. supra* n. 1, at xlvii.

74. Cowley 7.

then-immense number of cases under their appropriate subjects. As his compilation grew, he commenced secondary subject organization, *i.e.*, he not merely digested the Year Book cases under broad heads, he now also indexed them according to a more detailed, gradually expanding scheme of subheads. Thus eventually there were two projects or manuscripts: (1) the abridged cases proper, which eventually became the *Abridgement* and (2) the expanding subheads and suborganization which eventually became the *Tabula*, and which Rastell in the quoted prefatory statement, referred to as "calendars."⁷⁵ The decisive fact was of course that many cases had not been "calendared" at the time of the original digesting, for we must assume that this second project evolved gradually as needed, that it may even have originated in full only after publication was decided upon. At any rate, in doing whatever calendaring had been done, Fitzherbert and his helpers originally had just jotted down the Year Book citations under the appropriate subjects and subheadings—with not even a folio reference, because most of the Year Books still were in manuscript.

At about this point, came the plan to publish—and publication of the *Book of Assises*, with its every case numbered, both within the *Book* and also as digested under the heads *Corone* and *Assise* in the *Abridgement*, with specific numerical references throughout each of the two works and from one work to another. The potentialities of cross-references and multiple digesting thus were brilliantly demonstrated and made evident to all:

The whole law now must be so ordered!

The idea thus developed not only of printing the entire *Abridgement*, but of expanding, perfecting and printing a *Tabula* as well. Both from statements in John Rastell's prefaces, and from the internal evidence, we sense what happened. Fitzherbert, within whose disciplined, ordered mind the categories for the cases had been taking shape, was persuaded to expand his "calendars" and suborganization. Meanwhile, the effervescent Rastell, carried away as always by his enthusiasms⁷⁶—in this case for the still-novel "figures of algorism," those wonderful contrivances which were so far superior to cumbersome Roman numbers⁷⁷—was perhaps heralding the day when by this means alone the Common Law might be organized into one grand coherent system. We know, in any event, that Rastell set himself down for two crushing assignments. The first was derivative and extractive; for those cases in the *Tabula* which Fitzherbert had listed merely by their Year Book citations, Rastell now must ascertain and assign the proper plea numbers from the serially-numbered manuscript or printed *Abridgement*. The second was classificatory; for those cases in the *Abridgement* which had never been calendared according to Fitzherbert's system of subheads, he must first pigeon-hole the case, as well as fill in the citation and plea number.

Obviously, this was visionary, super-

76. See Reed, ch. 1.

77. See Rastell's table of numerical equivalents and instructions to all "who wil lern to rede trewly the numbers of algorisme," on al verso of the *Liber Assisarum* [1513-14?]; also Nash, *Rastell Fragments at Dartmouth*, 24 THE LIBRARY (4th ser.) 66 at 69 (1944).

75. See passage quoted *supra* at n. 71.

human endeavor. The point here is that the first task was even more onerous and maddening than the second, given the state of the manuscripts. A single example dramatizes the difficulties: The first and fourth entries on leaf a² of the second part of the *Tabula*, under the head *Damage* read as follows: "[subheading:] *Public damage et ou non*.

[entry 1, see title:] *assise. año 29 E 3*

[entry 4, see title:] *accion sur statut. P 16 E 3*"

To identify the latter case as *Accion sur statut* 14 would not have been difficult, because under that head in the printed *Abridgement* there eventually were only five pages with 37 pleas, only one of which was "Paschal term, 16 Edward III." In the case of the first entry, however, there were 463 pleas or cases under the title *Assise*. As eventually printed in the *Abridgement*, these extended over folios 53b-93a—80 great folio pages!—of which 21 pleas (numbered 275-295) all were "año 29 E 3." Of these, Rastell must determine which of the 21—covering four pages in all—best fit the subheading "*Public damage et ou non*." All this, remember, merely to get one plea or case number. Small wonder then that a voyage to the Newe Founde Landes developed overpowering fascinations. It would have been simpler by far in many cases of course to have started from scratch. But this was not immediately sensed; nor was it possible. The system broke down completely in the title *Brefe*, the longest in the *Abridgement*, with 944 pleas extending over folios 157a-200b—88 pages!

The ambitious plan to systematize

the Common Law thus ended, not in defeat, but far short of victory. Rastell's preface to the *Tabula*, in this light, assumes new significance:

I have taken some pain upon me in numbering the said cases in the first part of this table and marked and noted the actions' names, as the student thereof shall well perceive. But yet I have not had so much time and space that I could conveniently go through the whole work.⁷⁸

The saving feature at this date was that mere printing and a rough, incomplete subject organization, met needs of practitioners and of growth when there still were only 14,000 cases. During the next half century the Common Law flourished under a pay-as-you-go-system, each practitioner doing his suborganizing as needed. "Loke more"—not our modern "See also"—was the apt standard cross-reference signal.

In 1565, Richard Tottell at last reprinted the *Abridgement*⁷⁹ and the *Tabula*.⁸⁰ He did so again in 1577.⁸¹ Significantly no attempt ever was made to add the missing plea numbers, nor to complete John Rastell's jobs.

Yet few today will begrudge the promoter-printer his due. Equally with Sir Anthony Fitzherbert, John Rastell and his co-printers, whoever they were, rank unquestionably among the makers of the Common Law.

78. Cowley 7.

79. Cowley 55.

80. Cowley 56.

81. Cowley 71. In this two-volume 1577 edition the separately paged *Tabula* is reprinted as an appendix of volume 2.

Mr. Joshua Williams, Q.C.: His Life And Writings

by ELIZABETH M. MOYS, *Assistant Librarian*

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Property law now has a diminished importance in a student's career because the social and economic revolution of the last forty years has raised the comparative importance of other legal subjects. But in the nineteenth century the law of property, especially land law and conveyancing, was pre-eminent and one of the greatest English property lawyers of the century was Joshua Williams. The influence of his best known work, *Principles of the Law of Real Property*, was felt for nearly forty years after his death, but with the extensive reforms of the 1922-25 period, its pre-eminent place was taken by a new textbook. Although Williams' books are no longer in current use by students, they are still quoted fairly often in court and carry great weight with the Bench. They are also invaluable for the research worker and the student of legal history.

Early Days

Joshua Williams was born on May 23, 1813, the fifth son, and seventh child, of Thomas Williams of Aston in Oxfordshire. He was thought to be a remote descendant of Sir David Wil-

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liams, who was Recorder of Brecon and Member of Parliament for the borough in the days of Elizabeth I and was knighted by James I in 1603, but this has never been confirmed.

Young Joshua was sent to a private school and before he was old enough to go to college his family had moved to London. He lived in various parts of west London for the rest of his life and continued his education at University College, London, then still known as London University.

In January 1833, a few months before his twentieth birthday, he was admitted as a student at Lincoln's Inn. He read under Mr. P. B. Brodie, Mr. J. Rudall, and Mr. Duval. His main reading was Blackstone and Coke on Littleton. When his three years of formal study were completed, instead of immediately becoming a barrister he decided to practice "under the Bar" as a certificated conveyancer. He did this for two years and finally on May 4, 1838, he was called to the Bar by Lincoln's Inn. Thereafter, he devoted himself almost exclusively to conveyancing.

In the meantime, in May 1836, he had married Miss Lucy Strange. They had one son, Joshua Strange Williams, who emigrated to New Zealand where he became distinguished as a judge. A year later, while he was still

"under the Bar," Williams edited the fourth edition of Watkins' *Essay on the Law of Descents*. He had thus gained useful experience by the age of twenty-four which must have been a great help to him when he was writing his own books a few years later.

First Years at the Bar

Williams had no private connections with solicitors who might have brought him work, and like many a newly called young barrister, he had plenty of free time on his hands during his first years at the Bar. Some of the work he had was obtained through his fellow pupils in chambers and, in fact, one of them was his very first client. The quality of his conveyancing work brought him a valuable connection with the firm of Brown and Martin, solicitors, who became his most regular and faithful clients.

A man of energy and determination, Williams occupied much of his unwanted leisure by making a deeper study of the law of real property. He started to write a textbook, intended to be an introduction to the subject for conveyancing students. Before the book was finished his wife died and in April 1843 he married again. His second wife was Miss Elvira Anna Phipps, by whom he had two sons and a daughter. It appears that none of these joined the legal profession.

His first book, *Principles of the Law of Real Property, Intended as a First Book for the Use of Students in Conveyancing*, was published in 1845. It was an immediate success, sold well for a textbook on that subject, and brought the author both fame and new clients. A second edition ap-

peared four years later. The book's popularity can be judged by the fact that for the next forty years new editions were published at the rate of one every two or three years; and the latest edition, the twenty-fourth, appeared as recently as 1926, eighty-one years after the book was first written. It has also been published in the United States, and in Canada an edition was specially adapted to Ontario law and was a basic textbook until well into the present century. The ninth edition was translated into Italian and published in Florence in 1873.

1848 saw the publication of *Principles of Personal Property, Intended for the Use of Students in Conveyancing*. Evidently it was intended to be complementary to the successful first book and may well have been influenced by that very success. The new book never reached quite the same high level of achievement or popularity as *Williams on Real Property*, but nevertheless ran to eighteen editions by 1926. This volume was also published in the United States.

His second wife having died, Williams married Miss Martha Thompson in August 1851. They had one son, Thomas Cyprian Williams, who followed his father at the Bar, became a member of the Institute of Conveyancers and carried on Williams' work after his death.

In Court

Williams continued his conveyancing work at the outer Bar, working almost entirely in chambers. The reputation he had earned, both from satisfied clients and from his books

brought him a large conveyancing practice and he became widely known to both branches of the legal profession as an exceptionally skilled conveyancer. His appearances in court in those days were rare, but encouragingly successful.

One interesting case which he won a few months before he took silk was *Heelis v. Blain*.¹ This was an appeal from the decision of the revising barrister who compiled the list of electors for the southern division of Lancashire. In 1864, before the Second Reform Bill, property qualifications very often determined the eligibility of voters, and the argument in this case related to real property law rather than electoral law. At the end of his judgment, Earle, C. J., paid Williams an unusual compliment: ". . . it is a main ground of Lord Eldon's judgment in *The Britton Ferry case*² that the practice of conveyancers is to be taken notice of by those who administer the law,—a very wise and salutary principle; for, according to my experience, the persons entrusted with that branch of the law have ever been remarkable for ability and learning: and the argument which we have heard this day satisfies me that the mantle of those great men has not descended upon unworthy shoulders."

Williams' abilities as a conveyancer received judicial recognition in 1862 when on March 26 Lord Chancellor Westbury appointed him one of the four Conveyancing Counsel to the Court of Chancery. This naturally

led to a great increase in the amount of work he had to deal with, and finally to overwork. His doctor told him he must cut down his activities if he was to avoid a serious breakdown in his health. Accordingly Williams applied for silk in 1863, in the hope that if it was granted he would be able to earn reasonable fees from fewer cases. However, his health improved and his application was withdrawn the same year.

Taking Silk

Unfortunately the effects of overwork soon produced a further period of ill health, and the following year Williams reapplied for silk. At the end of the year his health forced him to resign from the Court of Chancery appointment which he had held for only two and a half years. His application for silk was granted and on March 30, 1865, he was appointed one of Her Majesty's Counsel. Three weeks later he was elected a Bencher of Lincoln's Inn.

As a Q.C. he was not, of course, attached to any particular court, but practiced as a specialist in conveyancing and real property. Taking silk at the age of fifty-two, with a large family and only a moderate income, was a bold step. It meant, in effect, a complete break with his existing practice and taking up a new type of work. But he had an established reputation and the step seems to have been successful both professionally and in temporarily averting serious illness.

The Commons Cases

Within a period of a few years, Williams undertook a series of cases

1. 18 C. B. (N. S.) 90, 144 Eng. Rep. 374 (1864).

2. *Smith v. Doe* d. Lord Jersey, 2 Brod. & B. 473, 129 Eng. Rep. 1048 (1821).

concerning the rights of commoners.³ The first of these, the *Berkhamstead Common* case,⁴ may well be considered to be the most interesting of them all. The lord of the manor enclosed a strip of land right across Berkhamstead Common so that the remaining two portions were cut off from each other. The fences were carefully removed a few days later on the authority of Augustus Smith, whereupon Earl Brownlow sued him for trespass. But Smith filed a suit on behalf of himself and all the other commoners of the manor, praying for a declaration of their rights of common over the whole of the area and requesting an injunction to restrain the lord of the manor from enclosing any part of the common, including, of course, the part he had already tried to fence in. Williams was one of the counsels for the plaintiff, who was awarded an injunction in almost the exact terms of the prayer. The action for trespass was naturally abandoned once Smith's action had been shown to be in defense of his rights. Williams gives his own account of the case, with homely details that do not appear in the official reports.⁵

As a result of the successful establishment of commoners' rights in *Smith v. Earl Brownlow*, a number of similar actions were brought during the next few years. Among those in which Williams represented the commoners and obtained satisfactory judgments were cases concerning

Plumstead Common,⁶ Tooting Common,⁷ Epping Forest,⁸ and Coudon Common.⁹ Thus Williams played an active part in preserving for us and, let us hope, for our successors for many generations some of the areas of beautiful countryside and open spaces which we enjoy on all sides of London. For, generally, where the commoners may walk freely, so may the general public also go "for walking, driving, and riding on horseback, and for the enjoyment of air and exercise, and for amusement and recreation. . . ."¹⁰

Later Years

Williams' new practice as a Q.C. was successful and must have been fairly remunerative. In 1870 he had a house built at Ore near Hastings in Sussex, and gave it the fitting name of Sandrock. It is not recorded whether he ever lived there continuously. As it is an hour and a half or so from London by train, the house was probably used mainly for week-ends and vacations.

In 1873 he married for the fourth time. His last wife was Mary Webb, and there were no children. He was entering the sixties and soon his health began to fail again.

In 1875 the Council of Legal Education, which provides courses for students at the Inns of Court, established several professorships, includ-

3. A full account of the whole question of commoners' rights is given in Eversley's *English Commons and Forests* (1894).

4. *Smith v. Earl Brownlow*, L.R. 9 Eq. 241 (1869-70).

5. RIGHTS OF COMMON AND OTHER PRESCRIPTIVE RIGHTS 135-136 (1880).

6. *Warrick v. Queen's College, Oxford*, L.R. 10 Eq. 105 (1870), L.R. 6 Ch. 716 (1871).

7. *Betts v. Thompson*, L.R. 6 Ch. 732 (1871).

8. *Commissioner of Sewers v. Glasse*, L.R. 19 Eq. 134 (1874).

9. *Hall v. Byron*, 4 Ch. D. 667 (1876-77).

10. *Smith v. Earl Brownlow*, L.R. 9 Eq. 241 (1869-70).

one in real and personal property. Williams was the obvious choice for this appointment. He was duly elected and was reelected annually for the following four years. He gave many courses of lectures, several of which were published later as books. In the meantime he prepared successive editions of his two great works and taught pupils in chambers. In 1877 his youngest son, Thomas Cyprian Williams, was called to the Bar by Lincoln's Inn, and joined his father's chambers. He remained there to carry on his father's work after his death. That year, because of continued ill health, Williams sold Sandrock, the house near Hastings.

During the long vacation of 1880, he had a severe illness and was obliged to resign his professorship. He recovered, but had further occasional bouts of illness until the following year, when a long vacation holiday on the Continent seemed to restore him and he returned to work. But within a month he was forced to take to his bed again. He died in the early hours of Tuesday, October 25, 1881, at the age of sixty-eight.

Private Life

Williams was unusually tall—6 feet, 4 inches—and must have been quite a landmark in the quiet squares of Lincoln's Inn. He was, however, slender and neither muscular nor athletic. He rode sometimes in his younger days, but his favorite sport was always fishing. He was never very robust and needed a more than average amount of sleep, but it was not until he was about fifty that constant overwork seriously threatened his

health. In his last years he suffered from partial deafness.

He lived a quiet and regular life, punctuated, it is true, by four marriages and five christenings. Breakfast was always at 8:30 and dinner at 6:30, and he nearly always walked the two or three miles to his chambers and home again.

He seems to have had an attractive personality and was genuinely popular at Lincoln's Inn because he was genial and hearty, never took an unfair advantage and was outstanding for his kindness and courtesy to struggling young barristers.

Professional Life

Williams was fortunate in being able to apply a high degree of concentration to his work and needed to read each document once only. Thus he was usually able to avoid working late at night or before breakfast. For his work in chambers he had little assistance, apart from his pupils. To them he was always especially kind and he gave them careful attention in their practical studies. His books and lectures were not written by hand but dictated to a shorthand writer, as soon as he was able to afford one. What is more, the first draft and the published text were practically identical. While he was professor of property law for the Council of Legal Education he had to deliver two lectures a week.

As an advocate he was suave and dignified. He had confidence in his arguments, springing from a deep knowledge of the subject, and a power of lucid expression. He was to some extent hampered by his lack of famil-

ilarity with court work and a consequent reserve. Nevertheless he could hold his own with any other advocate in his own sphere and won most of the cases in which he appeared. Many more cases were won by other barristers who had the benefit of his advice. He had the scholar's dislike of interruption and bustle; and his partial deafness was a handicap in the last few years of his life.

His Contribution to Legal Literature

Williams' influence can be judged by the fact that two generations of lawyers were brought up on his textbooks on property law. He was a very learned man and a master of his subject. He also had a marked faculty for lucid exposition and a literary gift uncommon among writers of textbooks on a subject often considered to be dry and uninspiring. His youngest son, in a biographical sketch of his father, claims parity for him with Thackeray and Oliver Wendell Holmes. This is perhaps a pardonable exaggeration, but even a layman can enjoy reading the less technical passages in his books. According to one obituary he was regarded for over twenty-five years as "the Gamaliel of real property law."¹¹

A typical commentary on his work was made after his death by Kay, J., in his judgment in *Whitby v. Mitchell*,¹² where he said: "For that proposition I do not want any higher authority than that of the late Mr. Joshua Williams, who was certainly one of the best real property lawyers that have existed in my lifetime." In

affirming the judgment in this case, Lindley, L. J., said: "I entertain no doubt myself that Mr. Joshua Williams' observations on this subject are correct from beginning to end, and I do not know that I could express my views better than he did."¹³

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Alabama

Judicial Council, 1944-1951. Authority: Bar Association, Board of Commissioners Resolution, July 9, 1944; 5 *Ala. Lawyer* 299 (1944); abolished by Bar Resolution, July 14, 1951; 12 *Ala. Lawyer* 408 (1951). *Publications:* Reports, 1945-1946, see Merican checklist.

Judiciary Advisory Council, 1955-1957. Authority: H. J. Res. 35, Acts 1955, no. 145, vol. 1, p. 390; existence extended to 1957 by H. J. Res. 9, Acts (Spec. Sessions) 1956, no. 76, vol. 1, p. 109. *Publications:* See Commission for Judicial Reform publications.

Commission for Judicial Reform, 1955-1957. Authority: Same as Judiciary Advisory Council. *Publications:* Commission for Judicial Reform Research on Alabama Rules of Civil Procedure, with Supplement. 195? 3v.; Skinner, Thomas E. Alabama's Approach to a Modern System of Pleading and Practice. 20 *Fed. Rules Decis.* 119-138, April 1957; reprinted from

Report on the Work of the Commission for Judicial Reform and Submission of Proposed Alabama Rules of Civil Procedure, from Final Draft of Alabama Rules of Civil Procedure, West Publishing Co., February 1957.

Advisory Panel on Rules of Evidence, 1955(?) - 1957. Authority: Appointed by Judiciary Advisory Council in course of its duties (noted Acts (Spec. Sessions) 1956, vol. 1, p. 110). *Publications:* Not found.

Committee on Jurisprudence and Law Reform of the Alabama State Bar Association, 1951- Authority: Bar Resolution, July 14, 1951; 12 *Ala. Lawyer* 408 (1951). *Publications:* 3d Report, 1954. 15 *Ala. Lawyer* 285-289 (1954); 5th Report, July 20, 1956. 17 *Ala. Lawyer* 426-430 (1956); Annual Report, July 20, 1957. 18 *Ala. Lawyer* 379-390 (1957).

Judicial Conference. No provision.

Alaska

Judicial Council, 1956- Authority: Const. 1956, Art. IV, §§8-9. *Publications:* Not found.

Judicial Conference. No provision.

Arizona

Judicial Council, 1936-1938. Authority: State Bar Association Resolution, 1936. (Resolution not published.) Council inactive since 1938. *Publications:* Reports, 1937-1938, see Merican checklist.

Judicial Conference. No provision.

Arkansas

Judicial Council, 1941- Authority:

*[This manuscript is a condensation of a more detailed study made by Mrs. Gallagher and her staff for the Washington State Judicial Council. The larger study encompasses not only the authority for the organization of state judicial councils, judicial conferences, court administrators and related organizations, but also their composition and functions. The checklist portion of this study, in the listing of state judicial council reports, continues Harry B. Merican's *A Check List of State Judicial Council Reports from Their Beginning through 1947*, 41 *Law Library Journal* 135-144 (1948).—ED.]

State judges established voluntary Council, Sept. 26, 1941. *Publications*: Not found.

Judicial Conference. Judicial Council takes its place.

California

Judicial Council, 1926- Authority: Constitutional Amendment: Const., Art. VI, §1a, 1925 Stat., ch. 48. *Publications*: Reports, 1927-1946, see Merican checklist; Reports, 12th, 1948; 13th, pt. 1, 1950 (other parts not published); 14th, 1953; 15th, 1954; 16th, 1956; Rules on Appeal including Rules on Original Proceedings . . . with Explanatory Notes by the Draftsman, 1943; Inferior Court Reorganization. Recommendations Prepared Pursuant to Senate Concurrent Resolution No. 19, Dec. 1, 1948; Rules on Appeal including Rules on Original Proceedings for the Supreme Court and the District Courts of Appeal . . . Adopted July 1, 1948 as Amended Effective Jan. 1, 1951. [1951]; Rules on Appeal to the Superior Court Including Rehabilitation Rules, Jan. 5, 1953. [1952]; California Manual of Pre-Trial Procedure and Rules Relating to Pre-Trial Conferences. Adopted Sept. 19, 1956; effective Jan. 1, 1957; Rules adopted by the Judicial Council are found in the following *California Reports*: 204 Cal. xxxix-lxviii, index, cxv, 204 Cal. lxix-lxxxvii, index, cxxv, 213 Cal. lxxxi-civ, 213 Cal. cv-cix, 18 Cal. (2d) xxvii-xlii, 1-30, 22 Cal. (2d) 1-59, 26 Cal. (2d) 1-31, 59-71, 29 Cal. (2d) 1-6, 33 Cal. (2d) 1-26, 36 Cal. (2d) 1-39, 45-66, 36 Cal. (2d) 41-43, 40 Cal. (2d) 1-23, 40 Cal. (2d) 25-31, 47 Cal. (2d) 1-2, 47 Cal. (2d) 3-9.

Conference of California Judges, 1949- Authority: Voluntary association, formed Sept. 8, 1949, to succeed the California Judges Association. *Publications*: Constitution of the Conference of California Judges and Canons of Judicial Ethics. 1954; Stare Decisis by Justice William O. Douglas and other Addresses Delivered before the Annual Conference of California Judges. 1949; Some Resolutions and What Became of Them by Hon-

orable Harold R. Medina and other Addresses Delivered before the Annual Conference of California Judges, 1950.

Colorado

Judicial Council. No judicial council. *Judicial Conference, 1957- Authority*: Appointed by Governor, Nov. 5, 1957, at request of Chief Justice of the Supreme Court. Statutory authority to be added 1958. *Publications*: Not found.

Connecticut

Judicial Council, 1927- Authority: Pub. Acts 1927, ch. 190; amended Pub. Acts 1947, No. 343; Gen. Stat. §763 (1949). *Publications*: Reports, 1928-1946, see Merican checklist. Reports, 11th, 1948; 12th, 1950; 13th, 1952; 14th, 1954; 15th, 1956; A Handbook for Jurors. 1930, 1949, 1952 and [1956]. (1956 Handbook lists, as publisher, Judicial Department.)

Judicial Conference. No provision.

Executive Secretary of the Judicial Department, 1937-1957. Authority: Gen. Stat. §823d (Supp. 1937); amended Gen. Stat. §788f (Supp. 1941); Practice Book T 38, §§371-373; Gen. Stat. §7661 (1949); Repealed Pub. Acts 1957, No. 651. *Publications*: Reports, 1943-1944 through 1956.

Executive Secretary of the Judicial Department, 1957- Authority: Pub. Act 1957, No. 651, §§8-11. *Publications*: Not found.

Delaware

Council on the Administration of Justice, 1955- Authority: 50 Laws (1955) ch. 18; Code Ann. tit. 10, §§ 2001-2004 (1953). *Publications*: Biennial Report, Nov. 1, 1956; Supplemental Report, Dec. 21, 1956.

Judicial Conference, 1957- Authority: Court order, not published. *Publications*: Not found.

Florida

Judicial Council, 1953- Authority: Laws 1953, ch. 28062; Stat. §43.15 (1953). *Publications*: Reports, v. 1-4, 1954-1957. Constitution draft March 16, 1955.

Biennial Session of Circuit Judges

1939- *Authority:* Laws 1939, ch. 19360, §1; Stat. §16.06 (1955); Const. 1885, Art. V, §13. *Publications:* Recommendations are included in Attorneys' General reports to the Legislature.

Georgia

Judicial Council, 1945- Authority: Laws 1945, p. 155; Code Ann. §§81-1601—81-1607 (Supp. 1956). *Publications:* Not found.

Judicial Conference. No provision.

Hawaii

Judicial Council. No provision.

Judicial Conference. No provision.

Idaho

Judicial Council, 1929-1932(?) Authority: State Bar Resolution 1929; 1929 State Bar Proceedings, Resolution 1, p. 101. *Publications:* Reports, 1930-1932, see Merican checklist.

Judicial Section, Idaho State Bar, 1934-1950. Authority: 11 *Idaho St. Bar Proceed.* 5 (July 11, 1935). *Publications:* Report, July 11, 1935. 11 *Idaho St. Bar Proceed.* 18-19 (1935); Submission of Proposed Rules (including discussion) July 12, 1935. 11 *Idaho St. Bar Proceed.* 66-77 (1935); 1st Annual Proceedings, 1935. 11 *Idaho St. Bar Proceed.* 101-123 (1935); Report, July 24, 1936. 12 *Idaho St. Bar Proceed.* 25-39 (1936); 2d Annual Proceedings, 1936. 12 *Idaho St. Bar Proceed.* 109-146 (1936); Report, July 23, 1937. 13 *Idaho St. Bar Proceed.* 18-19 (1937); 3d Annual Proceedings, 1937. 13 *Idaho St. Bar Proceed.* 85-104 (1937); Report, July 22, 1938. 14 *Idaho St. Bar Proceed.* 49-56. (1938). See reference to Section activation and meeting with Committee of judges, 24 *Idaho St. Bar Proceed.* 44-45 (1950).

Judicial Conference, 1951- Authority: Called by the Chief Justice of the Supreme Court. *Publications:* (Note that this Conference uses title "Section" as well as "Conference".) Report of the Judicial Section (which held a judicial conference) July 3, 1951. 25 *Idaho St. Bar Proceed.* 81-82 (1951); Report, Judicial Conference, July 12, 1952. 26 *Idaho St. Bar Proceed.* 108 (1952); Report, Judicial

Conference, July 11, 1953. 27 *Idaho St. Bar Proceed.* 93-94 (1953); 1954 report not made; Report, Judicial Section (which held a judicial conference) July 9, 1955. 29 *Idaho St. Bar Proceed.* 74-75 (1955); Report Judicial Section (meeting in annual judicial conference) July 14, 1956. 30 *Idaho St. Bar Proceed.* 102-103 (1956).

Illinois

Judicial Advisory Council, 1957-? Authority: Laws 1957, H. B. 183; Stat. Ann. ch. 37, §§601-607 (Smith-Hurd 1941). *Publications:* Not found.

Judicial Advisory Council of Cook County, 1931- Authority: Laws 1931, p. 412; Rev. Stat. ch. 34, §§162c-162g (1955). *Publications:* Proceedings, September 6, 1934.

Judicial Conference. S.J.R. No. 47, 70th General Assembly, 1957, proposes amendment of Article VI, Constitution of the State of Illinois. If adopted, Article VI, sec. 17 will read: "The Supreme Court shall provide by rule for and shall convene an annual judicial conference to consider the business of the several courts and to suggest improvements in the administration of justice, and shall report thereon in writing to the General Assembly not later than January thirty-first in each legislative year".

Administrative Director. Sec. 2 of the proposed amendment to Article VI, Constitution, provides that "The Supreme Court shall appoint an administrative director and staff, who shall serve at its pleasure, to assist the Chief Justice in his administrative duties."

Indiana

Judicial Council, 1935-1953. Authority: Acts 1935, ch. 131; Stat. Ann. §§4-3701—4-3708 (1933). In effect discontinued 1953, no appropriation. *Publications:* Reports, 1936-1946, see Merican checklist; Reports 1948 and 1950; In Support of the Federal Rules of Civil Procedure as Adapted to the Indiana Practice, by C. Gavit. [1950]; Federal Rules of Civil Procedure as Adapted to the State Practice, September 1, 1952.

Judicial Conference. No provision.

Iowa

Judicial Council. No provision.

Judicial Conference. No provision.

Judicial Department Statistician,

1955- *Authority:* Acts 1955, ch. 270; Code Ann. §§685.6-685.10 (1949). *Publications:* Report . . . for the Period October 15, 1955 Through December 31, 1956, January 9, 1957; [Report to Assist Judges and Clerks of the District Court in the Performance of their Administrative Duties, May 1, 1957.]; [Summary of the Methods of Disposition of Cases by the Various Courts in Iowa During 1956.] July 1, 1957.

Kansas

Judicial Council, 1927- Authority: Laws 1927, ch. 85, amended Laws 1943, ch. 150; Gen. Stat. Ann. §§20-2201-20-2206 (1949). *Publications:* Reports, 1927-1948, see Merican checklist. Reports are published in the *Kansas Judicial Council Bulletin*, 1948-1953 in 4 nos., April, July, Oct., Dec.; 1954-1956 in 4 nos. in 3, July-Oct., Dec.; 1957 in 4 nos. in 2, Oct. and Dec.; 22d-31st, 1948-1957.

Judicial Conference. No provision.

Kentucky

Judicial Council, 1928-1950. Authority: Laws 1928, ch. 20, repealed Laws 1950, ch. 208. *Publications:* Reports, 1930-1946, see Merican checklist; 10th (*sic*) report 9th, 1945; 10th report, 1947; 11th report, 1950.

Judicial Council, 1950- Authority: Laws 1950, ch. 208; amended Laws 1956, ch. 79; Rev. Stat. §§22.050-22.100 (1956). *Publications:* 1st annual report, 1952; Report, February 1954; Report, March 22, 1956; Report, January 28, 1958; Report . . . on Divorce and Divorce Laws in Kentucky Made Pursuant to House Resolution No. 41 of the 1954 Session of the General Assembly. [Feb. 1956].

Judicial Conference, 1950- Authority: Laws 1950, ch. 208; amended Laws 1956, ch. 79; Rev. Stat. §§22.060-22.100 (1956). *Publications:* Not found.

Louisiana

Judicial Council of the Supreme Court,

1950- *Authority:* Supreme Court Order, May 16, 1950; (Rules of the Supreme Court, Rule 22); amended November 2, 1956; Rules of the Supreme Court, Rule 21. *Publications:* 1st annual report, 1954 (in 1955 report, Appendix II, pages 34-41); Annual report, 1955; Annual report, 1956.

Judicial Administrator, 1954- Authority: No specific statutory provision; appointment under same authority as that creating Judicial Council; not clear whether appointment made by Council or by Chairman. *Publications:* Reports included in Annual Reports of the Judicial Council.

Judicial Conference. No provision.

Maine

Judicial Council, 1932- Authority: 1932, informal appointments by Governor; Pub. Laws 1935, ch. 52; amended Pub. Laws 1937, ch. 151; amended Pub. Laws 1957, ch. 50; Rev. Stat. Ann. ch. 113, §§195-197 (1954). *Publications:* Report, December 1932; Report, 1954; Report to 98th Legislature [on result of study of problem of common law pleading and procedure]. Jan. 7, 1957; Report to 98th Legislature [on results of study of transfer of domestic relations to probate courts, or elsewhere, creation of a district court system to integrate the municipal courts, creation of a state wide probation and parole system.] Jan. 30, 1957.

Judicial Conference, 1927- Authority: Pub. Laws 1927, ch. 229, §4; Pub. Laws 1929, ch. 141, §16; Rev. Stat. Ann. ch. 106, §7 (1954). *Publications:* Not found.

Maryland

Judicial Council, 1924-? Authority: Laws 1924, ch. 549, §§74-78; Code Ann. art. 26, §§82-86 (1957). Commission to Study Judiciary of Maryland reported, 1953, that it had "never heard of the activities of the Council reported in the A.B.A. handbook", that it had been "defunct for a great many years, although the statute has never been repealed". (16 Md. L. Rev. 101 (1956), note 27) *Publications:* Maryland Judicial Council and John

Hopkins University Institute of Law, Study of the Judicial System of Maryland, Bulletins 1-6, 1930-1933.

Judicial Conference, 1945. *Authority:* 1945, Chief Justice called conference of judges of all major courts in conjunction with mid-winter meeting of State Bar Association; it has met annually since 1945. No statutory or court rule provision, but there is a small annual appropriation in the Judiciary Budget. (16 *Md. L. Rev.* 110-111 (1956). *Publications:* Not found.

Administrative Office of the Courts, 1955. *Authority:* Laws 1955, ch. 343; Code Ann. art. 26, §§6a-6e (1957). *Publications:* Judicial Statistics, 1950-1955. 1956; 1st annual report, 1955-1956; 2d annual report, Sept. 1, 1956-Aug. 31, 1957. 1957. Compilation of judicial statistics, cumulated quarterly, were published in 1956 and 1957, later form part of the annual reports.

Massachusetts

Judicial Council, 1924. *Authority:* Gen. Acts, 1924, ch. 244, amended Gen. Acts, 1930, ch. 142. Gen. Laws (Ter. Ed.), ch. 221, §§34A-34C. *Publications:* Reports, 1925-1947, see Merican checklist. Reports, 24th-33d, 1948-1957.

Judicial Conference, 1956. *Authority:* Gen. Acts, 1956, ch. 707, §2. Ann. Laws ch. 211, §3F (Supp. 1957). *Publications:* Not found.

Executive Secretary to Justices of Supreme Judicial Court, 1956. *Authority:* Gen. Acts, 1956, ch. 707, §2. Ann. Laws ch. 211, §3A (Supp. 1957). *Publications:* Report to Supreme Judicial Court as of June 30, 1957.

Michigan

Judicial Council, 1929-1955. *Authority:* Pub. Acts, 1929, Act. 64; Comp. Laws §691.32 (1948); abolished by Pub. Acts, 1955, Act 180. *Publications:* Reports, 1931-1947, see Merican checklist. Reports, 18th-25th, 1947-1954.

Supreme Court, Office of the Court Administrator, 1952. *Authority:* Pub. Acts, 1952, Act 269; Comp. Laws §§692.701-692.708 (Supp. 1956); Stat. Ann. §§27.15 (1)-27.15(8) (Supp. 1957). *Publications:*

1955 Annual Report and Judicial Statistics, 1956; Annual Report and Judicial Statistics for 1956. June 20, 1957.

Judicial Conference, 1954. *Authority:* Pub. Acts, 1954, Act 195; Comp. Laws §§692.721-692.723 (Supp. 1956); Stat. Ann. §§27.16(1)-27.16(3) (Supp. 1957). Implemented, Supreme Court Rules concerning the Judicial Conference, adopted October 13, 1955. *Publications:* Not found.

Minnesota

Judicial Council, 1937. *Authority:* Laws 1937, ch. 467; implemented Laws 1947, ch. 498, §3; amended Laws 1955, ch. 847, §28. Stat. §§483.01-483.04; 480.053 (1953). *Publications:* Reports, 1939-1945, see Merican checklist. Proposed Changes in Minnesota Civil Procedure. (1938?); Final Report of Committee of Judicial Council. (1939); Report on the Integration of the Bar. January 25, 1941; Report of the Committee on Unification of the Courts to the Judicial Council of Minnesota. (1942); Revised Report on the Rule Making Power of the Supreme Court. June 1, 1944. (1945); 3d report, 1945. processed. (Differs from printed edition listed in the Merican checklist); 5th report, 1948.

Advisory Committee, 1947. *Authority:* Laws, 1947, ch. 498, §2; Stat. §480.052 (1953). *Publications:* Preliminary Draft of Rules of Civil Procedure for Municipal Courts of Minnesota for Consideration by the Advisory Committee. Prepared by Honorable Leslie L. Anderson, member of Advisory Committee and Judge of the Municipal Court of Minneapolis. (Appendix "B" in University of Minnesota Law School's Report on Municipal Courts of Minnesota) 1952; Supreme Court Advisory Committee on Municipal Court Rules: Rules of Practice in Municipal Courts of Minnesota, Proposed by the Committee. 1952; Rules of Civil Procedure for the District Courts: Final Report and Transcript of the Draft of Rules, Submitted to the Supreme Court May 24, 1951; Rules of Civil Procedure for the District Courts Promulgated by the Supreme Court June 25, 1951, (and pub-

lished by the State with notes largely from the Committee's Report). 1951.

Judicial Conference. No provision.

Mississippi

Judicial Council. No provision.

Judicial Conference. No provision.

Missouri

Judicial Council. No provision.

Judicial Conference, 1943. *Authority:* Laws 1943, p. 514; amended Laws 1953, p. 405; Rev. Stat. §§476.320-476.390 (1949). *Publications:* Report, Jan. 4, 1945; Report, Jan. 13, 1947; Report, Jan. 25, 1949, with Supplement, June 1, 1949; Report, Jan. 8, 1951; Report, Jan. 7, 1953; Consolidated reports June 16, 1953 to June 15, 1954, 8 pts. in lv.; Report, Jan. 6, 1955, with Supplement, March 2, 1955; Consolidated reports June 16, 1954 to June 15, 1955, 6 pts. in lv.; Report, Jan. 4, 1957, with Supplement, March 26, 1957. Recommendations appear in the *Journal of the Missouri Bar Association*.

Executive Council, Judicial Conference, 1943. *Authority:* Same as *Judicial Conference*. *Publications:* See those listed under *Judicial Conference*.

Montana

Judicial Council. No provision.

Judicial Conference, 1953. *Authority:* Laws 1953, ch. 15, §1; Rev. Code Ann. §93-305 (1947). (This statute allows expenses for judges who shall attend a conference of judges in Helena called by the Chief Justice of the Supreme Court.) *Publications:* Not found.

Nebraska

Judicial Council, 1939. *Authority:* Supreme Court Rule, Oct. 5, 1939; 18 *Neb. L. Bul.* (Bar Proceedings) 43-44 (1939); Rev. Rules of the Supreme Court 1954, Art. 2, §5. *Publications:* Not found.

Judicial Conference. No provision.

Nevada

Judicial Council. No provision.

Judicial Conference, 1952(?) *Authority:* No provision. *Publications:* Not found.

New Hampshire

Judicial Council, 1945. *Authority:* Laws 1945, ch. 169; amended Laws 1951, ch. 245; Rev. Stat. Ann. §§494.1-494.7 (1955). *Publications:* Report, 1945, see Merican checklist. Reports, 2d, 1948; 3d, 1950; 4th, 1952; 5th, 1954; 6th, 1956.

Judicial Conference. No provision.

New Jersey

Judicial Council, 1930-1950. *Authority:* Laws 1930, ch. 254; abolished Laws 1950, ch. 179. *Publications:* Reports, 1930-1947, see Merican checklist. Reports 1948-1950 not found.

Judicial Conference, 1948. *Authority:* New Jersey Court Rules, 1953, Revision, Supreme Court Rule 1:23-1. *Publications:* Proceedings of the First Judicial Conference held September 13, 1948 at Trenton, N. J., in *Rutgers L. Rev.*, Nov. 1948 Special Number, pp. 1-55. Typed copies of other Proceedings are collected at the Bureau of Law and Legislative Reference, Division of the State Library, Trenton. Mimeographed *Judicial Conference Committee Reports* are collected at the same Bureau. Articles descriptive of the Conference's work and speeches made at the Conference are found in both the *New Jersey Law Journal* and the *Rutgers Law Review*.

Administrative Office of the Courts, 1948. *Authority:* Laws of 1948, ch. 354, amended Laws of 1956, ch. 159, §3; Stat. Ann. §§2A: 12-1—12-5 (1952). *Publications:* Reports, 1948-1949 through 1956-1957. Reports preliminary to the annual reports are issued quarterly, but are not listed here; Report on Legal Aid in New Jersey, 1955; Report on Assigned Counsel System in New Jersey, 1955.

Judicial Conference of Magistrates and Municipal Attorneys, 19??. *Authority:* N. J. Court Rules, 1953 revision, Supreme Court Rule 1:23-2. *Publications:* Not found.

New Mexico

Judicial Council, 1954. *Authority:* No statutory provision. *Publications:* Not found.

Judicial Conference. No provision. Apparently *Judicial Council* takes its place

New York

Judicial Council, 1934-1955. Authority: Laws 1934, ch. 128; abolished Laws 1955, ch. 869, §2. *Publications:* Reports, 1935-1947, see Merican checklist. Reports, 14th-21st, 1948-1955.

Judicial Conference, 1955- Authority: Laws 1955, ch. 869; N. Y. Judiciary Law §§230-239, *Publications:* Reports, 1st, 1956; 2d, 1957 (published 1956); 3d, 1958.

North Carolina

Judicial Conference, 1925-1931. Authority: Pub. Laws 1925, ch. 244; abolished Pub. Laws 1931, ch. 451. *Publications:* Minutes of First Meeting, June 25, 1925; Minutes of Second Meeting, Dec. 20, 1925; Minutes of Judicial Conference, June 25, 1926; Dec. 31, 1929; Dec. 30, 1930; Judicial Conference, First Report, Jan. 4, 1927; Second Report, Jan. 15, 1929; Third Report, Jan. 12, 1931.

Judicial Council, 1949- Authority: Pub. Laws 1949, ch. 1052, amended Pub. Laws 1953, ch. 74; Gen. Stat. §§7-448—7-456 (1953). *Publications:* 1st report, 1951; 2d report, 1953 (pp. 4-8, Jan. 1953, *Popular Government*). (Bills proposed: Dec. 22, 1952, p. 26); 3d report, Dec. 1954 (Excerpts in *Popular Government*, Dec. 1954, pp. 10-13); 4th report, Dec. 1955; 5th report, Dec. 1956.

North Dakota

Judicial Council, 1927- Authority: Laws of 1927, ch. 124; Rev. Code §§27-1501—27-1510 (1943). *Publications:* Not found.

Meetings of Judges, 1927- Authority: Laws of 1927, ch. 124, §9; Rev. Code §27-1509 (1943). *Publications:* Not found.

Ohio

Judicial Council, 1923- Authority: 110 Laws, 1923, p. 364; amended 114 Laws, 1931, p. 129; 119 Laws, 1941, p. 720; 121 Laws, 1945, p. 137; 122 Laws, 1947, p. 60; 127 Laws, 1957, p.— (S. 39, 1957); Rev. Code Ann. §§105.51-105.56 (Baldwin, 1957). *Publications:* Reports, 1931-1947, see Merican checklist. Reports, 9th, 1949; 10th, 1951; 11th, 1953; 12th, 1955; 13th, 1957.

Judicial Conference. No provision.

Oklahoma

Judicial Council, 1943- Authority: Supreme Court Order, Nov. 19, 1943; 14 Okla. Bar Assoc. Journ. 1783 (1943). *Publications:* Reports, 1944-1947, see Merican checklist. Later reports not found.

Judicial Conference, 19??- Authority: Voluntary in origin. But see Laws 1951, p. 47, §1; Stat. tit. 20, §§148, 149 (1951) concerning Supreme Court's power to compel judges of the Superior Courts to attend the conference, and allowing expenses. *Publications:* Not found.

Oregon

Judicial Council, 1955- Authority: Laws 1955, ch. 470; Rev. Stat. §§1.810-1.840 (Supp. 1957). *Publications:* Reports, 1st-2d, 1956-1957.

Judicial Conference. No provision.

Administrative Assistant to the Chief Justice, 1953- Authority: Laws 1953, ch. 34, §1; Rev. Stat. §2.310 (1953). *Publications:* Administrative Report re Circuit Courts of the State of Oregon. Dec. 21, 1954; same, for Jan. 1, 1955- Dec. 31, 1955; same, 3d annual, 1956.

Pennsylvania

Judicial Council. No provision.

Judicial Conference, 1928- Authority: Called for first time in 1928 by Chief Justice, after referendum by all state judges at request of Attorney General. *Publications:* Reports, 1928-1940, see Merican checklist. Later reports not found.

Procedural Rules Committee, 1937- Authority: Laws 1937, P. L. 1982, no. 392, §3; Stat. Ann. tit. 17, §63 (1930). *Publications:* Recommendations, explanatory notes, are found in the Pennsylvania Rules of Civil Procedure.

Rhode Island

Judicial Council, 1927-1935; 1939- Authority: Laws 1927, ch. 1038; abolished Laws 1935, ch. 2250; recreated Laws 1938, ch. 699; amended Pub. Laws 1952, ch. 2993; Gen. Laws §§8-13-1—8-13-5 (1956). *Publications:* Reports, 1927-1941, see Merican checklist. Reports, 12th-17th, 1951-1956.

District Court Conference, 1952-

Authority: Pub. Laws 1952, ch. 3030; Gen. Laws §§8-8-44 (1956). *Publications:* Rules for the District Courts—State of Rhode Island, Adopted June 13, 1957, Effective October 1, 1957. In 6 *R. I. Bar Journ.* 1, 7-9 (1957); Rules of Criminal Procedure for the District Courts of Rhode Island, Adopted March 19, 1953. In 6 *R. I. Bar Journ.* 9 (1957).

South Carolina

Judicial Council, 1956- Authority: Created on interim basis by order of the Supreme Court, July 10, 1956, at the recommendation of the State Bar Association; formally authorized by Laws 1957, no. 41, p. 43; Code §§15-2801—15-2810 (1952). *Publications:* Not found.

Supreme and Circuit Court Conference, 1870- Authority: Laws 1870 (14), §473; amended Laws 1882 (18), p. 56, Laws 1908 (25), p. 1035; Code §10-16 (1952). *Publications:* Not found.

South Dakota

Judicial Council, 1933- Authority: State Bar Resolution, August 1933, 2 *S. D. Bar Journ.* 61 (1933-34); amended August 1957, 26 *S. D. Bar Journ.* 89 (no. 2, Oct. 1957). *Publications:* Reports, 1934-1946, see Merican checklist. Reports in *S. D. Bar Journ.*: 1947, no report; July 1948, vol. 17, pt. 1, pp. 11-22; Oct. 1948, vol. 17, pt. 2, pp. 51-60; Oct. 1949, vol. 18, pt. 2, pp. 69-70; July 1950, vol. 19, pt. 1, pp. 28-38; Oct. 1950, vol. 19, pt. 2, pp. 68-107; 1951, no report; July 1952, vol. 21, pt. 1, pp. 13-21; Oct. 1952, vol. 21, pt. 2, pp. 48-60; July 1953, vol. 22, pt. 1, pp. 23-24; July 1954, vol. 23, pt. 1, pp. 22-27; Oct. 1954, vol. 23, pt. 2, pp. 60-64; 1955, no report; July 1956, vol. 25, pt. 1, pp. 32-41; Oct. 1956, vol. 25, pt. 2, pp. 90-91, 100-109; Oct. 1957, vol. 26, pt. 2, pp. 70, 89-90 (not a report, but action taken).

Judicial Conference. No provision.

Tennessee

Judicial Council, 1943- Authority: Pub. Acts 1943, ch. 130, amended; Pub. Acts 1945, ch. 89; Code Ann. §§16-901—16-910 (1956). *Publications:* Report on Survey of Cases Heard by Trial Courts, 1947-48 (not printed for distribution). No others found.

Judicial Conference, 1953- Authority: Pub. Acts 1953, ch. 129; Code Ann. §§17-401—17-407 (1956). *Publications:* Not found.

Texas

Advisory Judicial Council, 1929-

Authority: Laws 1929, ch. 19, amended Laws 1953, ch. 6; Rev. Civ. Stat. Ann. art. 2328a (1948). *Publications:* Reports, 1929-1946, see Merican checklist, Civil Judicial Council Reports: 19th-23d, 1947-1951; 24th and 25th not published; 26th-28th, 1954-1956. Judicial Statistics: 1947; 1948, bound with 21st report, pp. 55-62; 1949; 1950, bound with 23d report, pp. 46-52; 1951-52; 1953; 1954; 1955; 1956.

Judicial Conference, 192?- Authority: No statutory provision; Supreme Court calls annual meeting in fall of the year. *Publications:* Not found.

Supreme Court Rules Committee, 1911- Authority: No statutory provision. *Publications:* Not found.

Utah

Judicial Council, 1931- Authority: State Bar Resolution, July 23, 1931; 1 *Utah Bar Bul.* 13 (1931). *Publications:* Reports, 1932-1946, see Merican checklist. Report, 1948, in 18 *Utah Bar Bul.* 171-175 (1948). Proceedings issue; Report, 1949, 19 *Utah Bar Bul.* 123-126 (1949). Proceedings issue; Report, 1950, 20 *Utah Bar Bul.* 43-44 (1950). Proceedings issue.

Judicial Conference. No provision.

Vermont

Judicial Council, 1945- Authority: Acts 1945, no. 24; Stat. §§1266-1268 (1947). *Publications:* Reports, 1st, 1947; 2d, 1949; 3d, 1951; 4th, 1953; 5th, 1955; 6th, 1957.

Judicial Conference. No provision.

Virginia

Judicial Council, 1928- Authority: Laws 1928, p. 6; superseded Laws of 1930, p. 788; Code Ann. §§17-222—17-227 (1950). *Publications:* Reports, 1928-1944, see Merican checklist; A Handbook for Jurors. 1949; Proposed Modifications of Practice and Procedure. Jan. 1949; Re

port, covering May 19, 1948 to Dec. 7, 1949. 1949; Report, covering Dec. 8, 1949 to Dec. 6, 1951. 1951; Report, covering Dec. 6, 1951 to Dec. 3, 1953. 1953; Report, covering 1954 and 1955. 1955.

Judicial Conference, 1950- *Authority:* Laws 1950, p. 69; Code Ann. §§17-228-17-231 (1950). *Publications:* 1st-4th annual proceedings not published; Proceedings: 5th session, 1953; 6th session, 1954; 7th session, 1955; 8th session, 1956; 9th session, 1957.

Executive Secretary of the Supreme Court of Appeals, 1952- *Authority:* Laws 1952, ch. 506; Code Ann. §§17-111.1-17-111.2 (1950) *Publications:* Reports, 1st-4th, 1953-1956.

Washington

Judicial Council, 1925- *Authority:* Laws 1925, ch. 45; Rev. Code §§2.52-010-2.52.080 (1951). *Publications:* Reports, 1927-1947, see Merican checklist. Reports: 11th, 1949; 12th, 1951; 13th, 1953; 14th, 1955; 15th, 1957. Questionnaires: Nov. 1929; Oct. 1930; Nov. 1933; June 1936; Oct. 1936. State of Washington Judicial Council Address to the Bar. Nov. 1926; Recommendations of Rules by the Judicial Council to the Supreme Court. Nov. 23, 1956. In 149 *Wash. Dec.*, no. 31, Jan. 2, 1957, pp. i-xxi; Mimeographed studies submitted to the Council: Comments on Proposed Revisions of Federal Rules 7 Through 25 to Adapt Them for Washington State. (By Robert Meisenholder. 1956); (Memorandum Relating to a Proposed Revision of the "Dead Man's" Statute to Require Corroboration of the Survivor's Testimony. By Robert Meisenholder. 1956); (Memorandum Relating to the Constitutionality of the Proposal of Committee III to Adopt Rules 59-61 of the 1953 Uniform Rules of Evidence. By Robert Meisenholder. 1956.); State Constitutional Provisions Providing for Intermediate Appellate Courts. By Irwin Treiger. 1956; Memorandum to George Neff Stevens for the Judicial Council: Settlement of the Claim of a Minor. By Luvern V. Rieke. Aug. 9, 1957.; Washington State Courts with Criminal Jurisdiction: The Law and Some Problems. By George Neff Stevens.

Oct. 23, 1957.; Incompetence of Counsel in a State Criminal Proceeding as a Denial of Fourteenth Amendment Due Process; A Memorandum Upon *Lunce and Reynolds v. Overlade*, Warden, 244 F (2d) 108 (7th Cir. 1957). By Robert L. Fletcher. Nov. 13, 1957.

Court Administrator, 1957- *Authority:* Laws 1957, ch. 259; Rev. Code §§2.56.010-2.56.090 (1951). *Publications:* Not found.

Judicial Conference, 1957- *Authority:* Laws 1957, ch. 259, §6; Rev. Code §2.56.060 (1951). *Publications:* Not found.

West Virginia

Judicial Council, 1933- *Authority:* Laws, 2d extra 1933, ch. 71; amended Laws 1947, ch. 122; Code Ann. §§5707 (1)-5707(7) (1955). *Publications:* Reports, 1935-1947, see Merican checklist. 6th report, 1947.

Judicial Conference. No provision.

Wisconsin

Judicial Council, 1951- *Authority:* Laws 1951, ch. 392; amended Laws 1953, ch. 162; Stat. §251.181 (1955). *Publications:* Biennial reports, 1953, 1955, and 1957; Statistics, 1953, 1954, and 1956; Study of the Jurisdiction of Wisconsin Courts, 1953, 1954, 1955, and 1956; Report to the Supreme Court on Rules of Pleading, Practice and Procedure. April 25, 1956 and October 1957.

Judicial Conference. No provision.

Board of Circuit Judges, 1913- *Authority:* Laws 1913, ch. 592; amended Laws 1915, ch. 516; Laws 1917, ch. 14, §109; Laws 1917, ch. 299, §653; Laws 1933, ch. 140, §2; Stat. §252.08 (1955). *Publications:* Not found.

Board of County Judges, 1917- *Authority:* Laws 1917, ch. 406; amended Laws 1925, ch. 4; Laws 1931, ch. 65; Stat. §253.30 (1955). *Publications:* Not found.

Board of Criminal Court Judges, 1951- *Authority:* Laws 1951, ch. 335; amended Laws 1953, ch. 539, §2; Stat. §256.325 (1955). *Publications:* Not found.

Wyoming

Judicial Council. No provision.

Judicial Conference. No provision.

New Titles in Anglo-American Legal Periodicals¹

Compiled by MEIRA G. PIMSLEUR, Order Librarian

Columbia University Law Library

ADVERTISING FEDERATION OF AMERICA. NEWSLETTER. v. 1-v. 4, no. 5; July 16, 1954-Jan. 1958* New York. July 16, 1954-Jan. 18, 1956 unnumbered; Jan. 1956 called v. 2, no. 4. There is uncertainty as to when volume numbering started. *Irreg.*

ADVOCATE. v. 1, no. 1-v. 3, no. 3; April 1, 1955-Oct. 15, 1957* Long Branch, N. J., Monmouth Bar Association. *Q.*

AMERICAN BAR NEWS. v. 1, no. 1-v. 3, no. 1; July 16, 1956-Jan. 15, 1958* Chicago, Board of editors of the *American Bar Association Journal* and the Standing Committee on Public Relations. Subtitle: A monthly news bulletin of the American Bar Association. *M.*

AMERICAN JOURNAL OF LEGAL HISTORY. v. 1-; 1957-* Philadelphia, Temple University School of Law. Official publication of the American Society for Legal History. *Q.*

AMICUS CURIAE. v. 1, no. 1-v. 2, no. 1;

1. This list is a second supplement to "Appendix III, Anglo-American Legal Periodicals" in PRICE & BITNER, *EFFECTIVE LEGAL RESEARCH* (1953). The first supplement appeared in 48 *Law Library Journal* 268-273 (1955). The present list includes new titles to February 1, 1958. Where information as to latest volume and date was available, it has been given; otherwise, we have indicated volume one only. An asterisk (*) signifies that the periodical is currently being published. Following the new titles, there appears a list of corrections and changes to February 1, 1958. As before, additions, criticisms, and corrections will be very much appreciated.

Dec. 1955-Dec. 1956* Hartford, Conn., NACCA of Connecticut. *Semi-A.*

ARCHIVES OF CRIMINAL PSYCHODYNAMICS. v. 1, no. 1-v. 2, no. 1; Winter, 1955-Winter, 1957* Washington, D. C. Subtitle: A cooperative enterprise devoted to the encouragement of research in the field of criminal behavior, the interpretation of its psychodynamics, the promotion of superior legal understanding of the criminal in relation to society and a more humane consideration of the criminal as an individual. *Q* (Semi-A, 1955-56, v. 1, no. 1-4)

ATLANTA LAWYER. v. 1, no. 1-v. 2, no. 1; March 1956-Oct. 1957* Atlanta, Ga., Atlanta Bar Association. *10 issues a year.*

AUDIO-VISUAL NEWSLETTER. *See* NATIONAL LEGAL AUDIO-VISUAL NEWSLETTER.

BAR ACTIVITIES RECORDER. v. 1, no. 1-2; Feb.-July 1955. Chicago, American Bar Association. "A quarterly collection of materials produced by the state and local bar associations."

BAR-FLY. Dec. 1955-Feb. 1958* Hartford, Conn., Hartford County Bar Association. There is uncertainty as to whether Dec. 1955 is the first issue. *Irreg.*

NEW TITLES IN ANGLO-AMERICAN LEGAL PERIODICALS 135

- BAR NOTES. v. 1; 1950? Raleigh, North Carolina Bar Association. *Irreg.*
- BAR REPORTER. Jan. 1956-Feb. 1958* Canton, Ohio, Stark County Bar Association. *Irreg.*
- BERGIN HALL REVIEW. 1951-? Santa Clara, University of Santa Clara College of Law. Discontinued. No record available as to how many issues appeared. Subtitle: A collection of law notes selected from the results of . . . a legal writing program at Santa Clara.
- BI-WEEKLY SCHOOL LAW LETTER (Wyoming University). *See* NATIONAL SCHOOL LAW REPORTER.
- BOSTON BAR JOURNAL. v. 1-v. 2, no. 1; Jan. 1957-Jan. 1958* Boston, Boston Bar Association. *M.*
- BOSTON COLLEGE INTRAMURAL LAW REVIEW. *See* INTRAMURAL LAW REVIEW, BOSTON COLLEGE.
- BRITISH TAX REVIEW. June 1956-Dec. 1957* London, Sweet & Maxwell. *Q.*
- BUCKEYE BARRISTER. no. 1; April 1951-? Columbus, Alumni Association, College of Law, Ohio University.
- BULLETIN OF THE FUND FOR THE REPUBLIC. *See* FUND FOR THE REPUBLIC.
- BULLETIN OF THE INTERNATIONAL ACADEMY OF TRIAL LAWYERS. *See* INTERNATIONAL ACADEMY OF TRIAL LAWYERS.
- BUSINESS LAWYER BULLETIN. Dec. 1957* Chicago, Section of Corporation, Banking and Business Law of the American Bar Association.
- CALIFORNIA DEPT. OF JUSTICE. REPORT FOR GOVERNOR'S COUNCIL: NOTE-WORTHY ACTIVITIES AND LEGAL CASES. Jan./Feb. 1953-Dec. 1957* Sacramento. *M.* (1953-54 Bi-M.)
- CANADIAN BAR JOURNAL. Feb. 1958* Ottawa, Canadian Bar Association. *Bi-M.* (Feb.-Nov.)
- CANADIAN BAR REVIEW. v. 1-35; 1923-1957* Ottawa, Canadian Bar Association. Incorporated with this periodical are *Canada Law Journal* and the *Canadian Law Times*. March, May, Sept., Dec. (*M.* except July-Aug., 1923-1957)
- CENSORSHIP BULLETIN. [v. 1], no. 1-v. 2, no. 3; Dec. 1955-Nov. 1957* New York, American Book Publishers Council, Inc. *Irreg.*
- CERTIORARI WRIT. 1953-1956* New York, New York University School of Law. *A.*
- CEYLON LAW SOCIETY JOURNAL. v.1-; July 1954.* Colombo. *Q.*
- CITIZENSHIP BULLETIN. v. 1-; 1955.* Chicago, American Bar Association, Standing Committee on American Citizenship.
- CIVIL LIBERTIES DOCKET. v. 1, no. 1-v. 3, no. 1; Oct. 1955?-Nov. 1957* New York, National Lawyers Guild. *4 times a year.* (Oct.-June)
- CIVIL PRACTICE AND PROCEDURE TRIAL BRIEFS. v. 1, no. 1-; Aug. 1955.* Springfield, Illinois State Bar Association. *M.*
- COLORADO BAR ASSOCIATION NEWSLETTER. v. 1-; Jan. 1954.* Denver. *M.* (*Irreg.*)

- COLUMBIA LAW ALUMNI BULLETIN. v. 1, no. 1-3; April-Oct. 1957* New York, Columbia Law School Alumni Association. *Irreg.*
- COURT CONGESTION. no. 1-10; March-Dec. 1957* Chicago, American Bar Foundation. "Project on Congestion in the Courts." *M.*
- CUMBERLAND LAW JOURNAL. v. 1/2-4; Aug. 1, 1950-1954* Carlisle, Pa., Official legal publication of Cumberland County. Published 1950-51 by F. J. Templeton.
- DADE COUNTY BAR ASSOCIATION BULLETIN. v. 1-4, no. 2, 1955?-Feb. 1958* Miami, Fla., Dade County Bar Association. *M.*
- DEFENSE LAW JOURNAL. v. 1-3; 1957-58* Indianapolis, Allen Smith. Editor-in-chief, Welcome D. Pierson. *A.*
- DOCUMENT EXAMINER AND SCIENTIFIC DETECTIVE. v. 1, no. 1-3/4; Jan. & Feb. 1956-Jan. 1957* Guntur, India, Ugrasen Kashyap. v. 1, no. 1; Jan. & Feb. 1956; v. 1, no. 2; Aug. 1956; v. 1, no. 3/4; Jan. 1957.
- FAIR TRADE; Review of antimonopoly policy against restrictive business practices consumer protection. v. 1, no. 1-; Sept. 1956-* Tokyo, Fair Trade Institute. *Q.*
- FEDERAL LAWYER. no. 1; Oct. 12, 1956-* Chicago, Federal Bar Association Chicago Chapter. *M.*
- FLORIDA BAR. no. 1-? June 23, 1953-? Tallahassee, Public Relations Committee, Florida Bar. No longer published; date of last issue unknown. *M.* (*Irreg.*)
- FUND FOR THE REPUBLIC. BULLETIN. May 1956-July 1957* New York.
- GEORGIA STATE LIBRARY. LEGISLATIVE REFERENCE DEPARTMENT NEWSLETTER. v. 1, no. 1-v. 2, no. 3; Oct. 1954-Dec. 1955. Atlanta. *M.* (except Feb., July-Sept.)
- HARVARD LAW RECORD. *See* HARVARD LAW SCHOOL RECORD (in Changes and Corrections, *post*)
- ILLINOIS STATE BAR ASSOCIATION REPORTER AND PUBLIC RELATIONS REMINDER. v. 1-v. 2, no. 1; Oct. 28, 1955-Sept. 1956* Springfield. *Irreg.*
- INDIAN LAW JOURNAL. v. 1, no. 1-; Jan. 1957-* Lucknow, India, Faculty of Law, Lucknow University. Editor: R. U. Singh. *Twice a year.* (Jan. & July)
- INDIAN LAW QUARTERLY REVIEW. v. 1, no. 1-4; Jan./Mar. 1956-April 1957* New Delhi, Arora Law House, Ajmeri Gate Extension. "Journal of constitutional law, criminal law, criminology, police science, international law, legal science, legal profession, administration of justice, ancient Hindu polity, etc." Editor: Daulat Ram Prem. *Q.*
- INDUSTRIAL PROPERTY QUARTERLY. no. 1-5; no. 1-; July 1956-Jan. 1958* Berne, International Bureau for the Protection of Industrial Property. No. 1-5; July 1956-Oct. 1957; no. 1 begins again, 1958.
- INTERNATIONAL ACADEMY OF TRIAL LAWYERS BULLETIN. v. 1, no. 1-3; April-Dec. 1957* New York. *Q.*
- INTERNATIONAL COMMISSION OF JURISTS JOURNAL. v. 1, no. 1-; Autumn 1957-* The Hague. *Twice a year.*
- INTRAMURAL LAW REVIEW. no. 1; May

1955. Boston, Mass., Boston College Law School.

J.P.W.A.; Official organ of the Justices' Association, Inc. of Western Australia. v. 1, no. 1-; Sept. 1957-* Perth, W. A. Supersedes *The Magistrate*. M.

JOURNAL OF AFRICAN LAW. v. 1, no. 1-; Spring, 1957-* London, Butterworth. Editor: A. N. Allott. 3 issues a year.

JOURNAL OF BROADCASTING. v. 1-; Winter, 1956/57-* Los Angeles, Association for Professional Broadcasting Education, University of Southern California. Q.

JOURNAL OF BUSINESS LAW. Jan.-Oct. 1957* London, Stevens. Editor: Clive M. Schmitthoff. Q.

JOURNAL OF FORENSIC SCIENCES; the official publication of the American Academy of Forensic Sciences. v. 1, no. 1-v. 3, no. 1; Jan. 1956-Jan. 1958* Chicago, Callaghan. Editor: S. A. Levinson. Q.

JOURNAL OF SOCIAL THERAPY. v. 1-; 1954-* New York. Editor: Ralph S. Banay. Q.

JOURNAL OF TAX AND ESTATE PLANNING FOR MEMBERS OF THE MEDICAL PROFESSION. v. 1-2, no. 1; 1956-Oct. 1957* Boston, Foundation for Tax & Estate Planning. M?

JOURNAL OF THE INTERNATIONAL COMMISSION OF JURISTS. See International Commission of Jurists.

JOURNAL OF THE LAW SOCIETY OF SCOTLAND. v. 1, no. 1-v. 3, no. 1;

Jan. 1956-Jan. 1958* Edinburgh. M.

JR. BAR INTER-AMERICAN NEWSLETTER. v. 1, no. 1. July 1952. Washington, D. C., Junior Bar Conference, American Bar Association. No more published.

JUDGMENT. v. 1-; 1951-* Seattle, Student Bar Association, University of Washington School of Law. Q.

JUNIOR BAR CONFERENCE NEWSLETTER. v. 3, no. 1-; June 1, 1956-* Chicago, American Bar Association. Vol. 3, no. 1 is the first issue printed in this format and distributed to the entire JBC membership. Previous issues were mimeographed and distributed to a limited number. Bi-M.

K A P A KOMENTS. v. 1-; 1953-* Wichita, Kansas Association of Plaintiff's Attorneys. Q.

KERALA LAW TIMES. 1926-1957* Ernakulam, Kerala State. Started in 1926 as *T[ravancore] Law Times* and in 1949 as *K. L. T. W.*

LABOR RELATIONS REVIEW (Southeastern University). See SOUTHEASTERN UNIVERSITY LABOR RELATIONS REVIEW.

LAW REVIEW DIGEST. v. 1-7, no. 4; Nov. 1950-June 1957* Boonton, N. J., Kimball-Clark Pub. Co. Bi-M.

LAW SCHOOL ASSOCIATION NEWSLETTER. v. 1-4, no. 3; Oct. 1953-Dec. 1957* Norman, Oklahoma University School of Law. Irreg.

LAW SCHOOL NEWS, MONTANA STATE UNIVERSITY. See MONTANA STATE UNIVERSITY LAW SCHOOL NEWS.

- LAW SOCIETY OF SCOTLAND JOURNAL. See JOURNAL OF THE LAW SOCIETY OF SCOTLAND.
- LAWYER. v. 1-3, no. 1; Oct. 1955-Dec. 1957* Madras, Madras State Bar Federation. *Q*.
- LEGAL CENTER NEWS; Joint publication of the Southwestern Legal Foundation and the SMU School of Law. v. 1-4, no. 5; March 1, 1948-Sept. 1957. v. 1, no. 1-; Jan. 1958.* Title, v. 1-2, no. 4, *Southwestern Legal Center*, Dallas, Texas. Consolidated with *SMU Law Alumni News*, Jan. 1958 and began renumbering with vol. 1, no. 1.
- LEGAL MISCELLANY. v. 1-; 1955.* Calcutta, P. K. Ghose. *M*.
- LEGALITE. v. 1-8; 1950-1957* Boston, Wilson-Hill. 40 times a year.
- LITIGATION NEWS LETTER. See NEW YORK (STATE) TEMPORARY STATE HOUSING RENT COMMISSION. LITIGATION NEWS LETTER.
- LOUISVILLE LAWYER. v. 1-2, no. 3; 1956-Aug. 1957* Louisville, Ky., Student Bar Association, Louisville University School of Law. *Q*.
- M L Q LAW QUARTERLY. v. 1-7, no. 1; 1951?-Sept. 1957* Manila, Manuel L. Quezon School of Law. *Q*.
- MADHYA PRADESH LAW JOURNAL. v. 1-; Sept. 1956.* Nagpur, India, Central Law House. *M*.
- MEDICO-LEGAL REPORTER. v. 1-; June 1, 1955.* Newton Center, Mass., Current Medicine for Attorneys. *Semi-M*.
- MIAMI LAW QUARTERLY. See UNIVERSITY OF MIAMI LAW REVIEW.
- MICROLEX NEWS. v. 1, no. 1; Spring 1956. Rochester, Microlex Corp. No more published.
- MISSISSIPPI LAWYER. v. 1, no. 1-v. 3, no. 5; Jan. 1954-May 1956* Jackson, Mississippi State Bar. Subtitle, v. 3, no. 1- (Jan. 1956-) "Official Monthly Publication of the Mississippi State Bar." *M*.
- MONTANA STATE UNIVERSITY LAW SCHOOL NEWS. v. 2, no. 1-v. 3, no. 2; Oct. 1955-March 1957* Missoula. Date of publication of vol. 1, no. 1 unknown. 2 issues a year.
- NPPA NEWS ON DELINQUENCY AND CRIME. v. 34, no. 3-v. 36, no. 5; Sept. 1955-Jan. 1958* "Continuation, in revised format, of *Focus*, the last issue of which appeared in March 1955 (vol. 34, no. 2)." New York, National Probation and Parole Association. Jan. Mar., May, Sept.
- NATIONAL LEGAL AUDIO-VISUAL NEWS-LETTER. v. 1-2, no. 2; April 1956-Sept. 1957* Bloomington, Indiana, National Legal Audio-Visual Center, Indiana University. *Irreg*.
- NATIONAL SCHOOL LAW REPORTER. v. 1-7; March 1, 1951-1957* New London, Conn., Arthur C. Croft Publications. March 1, 1951-March 1, 1955 as *The Bi-weekly School Law Letter*, University of Wyoming College of Law. Editor: Robert R. Hamilton. *Bi-W*.
- NATURAL LAW FORUM. v. 1, no. 1-v. 2, no. 1; 1956-May 1957* Notre

Dame, Ind., Notre Dame Law School. "The *Forum* begins as an annual; later it will be a semi-annual; and in due time, we hope, a quarterly." (v. 1, no. 1, p. 4)

NEGLIGENCE AND COMPENSATION SERVICE. v. 1, no. 1-; Oct. 1, 1955.* New York, Central Book Co. Subtitle: An annotated index-digest of recent cases with selected materials from medical and law journals on injuries to persons and property. Editor: Howard L. Oleck. *Semi-M.*

NEW JERSEY STATE BAR JOURNAL. v. 1, no. 1-; Fall, 1957.* Trenton. *Q.*

NEW YORK (STATE) TEMPORARY STATE HOUSING RENT COMMISSION. LITIGATION NEWS LETTER. v. 1, no. 1-v. 8, no. 5; July 1, 1950-Dec. 1957* New York. *Irreg.*

O.A.L.L. NEWSLETTER. v. 1-; Nov. 1954.* Toledo, Ohio Association of Law Libraries. *Irreg.*

OYEZ! OYEZ! v. 1, no. 1-; Nov. 1, 1957.* Chicago, Section of Judicial Administration, American Bar Association.

PAKISTAN BAR JOURNAL. v. 1, no. 1-; Jan. 1956.* Lahore, Pakistan Bar Association. *Q.*

PENNSYLVANIA LEGAL EAGLE. 1957?.* Harrisburg, Pennsylvania Bar Association, Committee on Public Relations. *M.*

PERSONAL INJURY COMMENTATOR. Jan. 1958.* Chicago, Callaghan. Editors: James D. Ghiardi, Ray G. Aiken, Calvin W. Corman. *Bi-M.*

PLAINTIFF'S DIGEST. v. 1, no. 1-3; v. 2,

no. 1-; March 1955-Sept. 1955; Sept. 1957.* Newark, N. J. NACCA, New Jersey Chapter. *Q.*

POLICE; a journal devoted to the professional interests of all law enforcement personnel. v. 1, no. 1-v. 2, no. 3; Sept./Oct. 1956-Dec. 1957* Springfield, Ill., Thomas. *Bi-M.*

PUBLIC LAW; the constitutional and administrative law of the Commonwealth. Spring/Summer 1956-Winter 1957/58* London, Stevens. *Q.* (1956: 3 issues)

PUBLIC UTILITY AND HIGHWAY LAWS. no. 1-23; Jan. 1956-Oct. 1957* San Francisco, Utility & Highway Law Service. "A monthly report and analysis of current litigation, legislation and opinions concerning public utilities, highways and easements, both publicly and privately owned." *M.*

RACE RELATIONS LAW REPORTER. v. 1, no. 1-v. 2, no. 6; Feb. 1956-Dec. 1957* Nashville, Tenn., Vanderbilt University School of Law. "A complete, impartial presentation of basic materials, including: Court cases, Legislation, Orders, Regulations." *Bi-M.*

RES GESTAE. v. 1, no. 1-; Nov. 1956.* Indianapolis, Indiana State Bar Association.

SCHOOL LAW LETTER (Wyoming University). *See* NATIONAL SCHOOL LAW REPORTER.

SOUTH DAKOTA LAW REVIEW. v. 1-2; Spring, 1956-Spring 1957* Vermillion, School of Law, South Dakota University. *A.*

- SOUTHEASTERN UNIVERSITY LABOR RELATIONS REVIEW. v. 1, no. 1-2; Spring 1955-July 1956* Washington, D. C. A.
- SOUTH PACIFIC LAW REVIEW. v. 1, no. 1-8. July 1948-June 1950. Sydney, Robert Dey. "Supplement to South Pacific." "Printed and pub. by Robert Dey, Son & Co., Pty., Ltd. for the Australian School of Pacific Administration, Mosman, N. S. W."
- STARK COUNTY BAR REPORTER. *See* BAR REPORTER.
- STUDENT LAWYER JOURNAL. v. 1, no. 1-v. 3, no. 3; Oct. 1955-Feb. 1958* Chicago, American Student Lawyer Association. 5 times a year (Sept.-June).
- SUMMONS: official organ of Tau Epsilon Rho International Legal Fraternity. v. 1-30; 1927?-1957* Place of publication varies. *Irreg.*
- TAX COUNSELOR'S QUARTERLY. v. 1, no. 1-4; April-Dec. 1957* Chicago, Callaghan. Editor: Christian M. Lauritzen. *Q.*
- TOWN PLANNING AND LOCAL GOVERNMENT GUIDE. v. 1, no. 1-; July 1956* Sydney, Law Book Co. of Australasia.
- TRIAL BRIEFS (Illinois State Bar Association) *See* CIVIL PRACTICE AND PROCEDURE TRIAL BRIEFS
- TRIAL LAWYER'S GUIDE. v. 1, no. 1-4; Feb.-Nov. 1957* Chicago, Callaghan. Editor: Irving Goldstein. *Q.*
- TROJAN BAR. v. 2, no. 1; Oct. 1957* Los Angeles, University of Southern California School of Law. Published by Southern California Student Bar Association. Date of first issue unknown. *Irreg.*
- UCLA DOCKET. v. 1-; Dec. 1956-* Los Angeles, UCLA Law Students Association. *Irreg.*
- UNIVERSITY OF MIAMI LAW REVIEW. v. 1-12; March 1947-Fall 1957* Coral Gables, University of Miami School of Law. vol. 1-11 as *Miami Law Quarterly*.
- VILLANOVA LAW REVIEW. v. 1, no. 1-v. 3, no. 1; Jan. 1956-Nov. 1957* Villanova, Pa., Villanova University School of Law. 2 nos. 1955-56; 4 nos. a year, 1956/57-
- WMO BULLETIN. *See* WORLD METEOROLOGICAL ORGANIZATION. WMO BULLETIN.
- WASHINGTON LEGISLATIVE BULLETIN. v. 1, no. 1-41; Jan. 14, 1957-Feb. 10, 1958* Washington, D. C., Council of State Governments Washington Office. IV. while Congress is in session. Formerly pub. monthly and without volume numbering.
- WESTCHESTER BAR TOPICS. v. 1, no. 1-v. 2, no. 1; Oct. 1956-Oct. 1957* White Plains, Westchester Bar Association. Cover title: Westchester County Bar Association Bar Topics. *Q.*
- WESTCHESTER COUNTY BAR TOPICS. *See* WESTCHESTER BAR TOPICS.
- WILLIAM AND MARY LAW REVIEW. v. 1-; 1957-* Williamsburg, Va. Supersedes the *William and Mary Review of Virginia Law*, published 1949-1956, and v. 1 includes index to that review. "Published by law students

of the Marshall-Wythe School of Law." *A.*

Geneva. In two eds., English and French. *Q.*

WORLD COMMUNITY REPORTER. v. 1, no. 1-; July/Aug. 1955.* New York, Transradio News Agency. *Q.* (Irreg.)

WYOMING UNIVERSITY COLLEGE OF LAW. SCHOOL LAW LETTER. See NATIONAL SCHOOL LAW REPORTER.

WORLD METEOROLOGICAL ORGANIZATION. WMO BULLETIN. v. 1, no. 1-v. 6, no. 4; April 1952-Oct. 1957*

ZONING BULLETIN. no. 1-85; Dec. 1935-1957* New York, Regional Plan Association, Inc. *Q.*

APPENDIX: CHANGES AND CORRECTIONS²

AMERICAN BAR RESEARCH CENTER. Publication no. 1; May 1954* Chicago. **Supplement A-C, 1953/54-1955/56.** (Entry appears for the first time in Supplement, 1955.)

See TORONTO. UNIVERSITY. FACULTY OF LAW REVIEW.

CLEVELAND MARSHALL LAW REVIEW. v. 1-7, no. 1; 1952-Jan. 1958* Cleveland, Ohio. **Semi-A (v. 6, 1957: 3 issues.)**

FORDHAM LAW REVIEW, v. 1-25; Nov. 1914-Nov. 1956* New York, Fordham University Law School. Vol. 1 contained in *Fordham Monthly*, v. 33, no. 2-8. Vols. 1-3 issued Nov. 1914-June 1917. None published July 1917-Dec. 1934. Resumed Jan. 1935, with vol. 4, no. 1. *Q.* (v. 2, 4-12, 19-23, 3 times a year; v. 13-18, Semi-A.)

CURRENT LEGAL THOUGHT, the lawyers' digest of law reviews. 14v. March 1935-April 1948. New York. *M.* (Irreg.) v. 14: 4 nos.

GUILD LAW STUDENT. 6v. 1947?-April 1953. New Haven, Student Division of the National Lawyers Guild. Ceased publication with vol. 6, no. 2.

ESSEX BAR NEWS, v. 1, no. 1-v. 2, no. 7; March 1953-April 1954. Newark, N. J., Essex Bar Association. *M.* (Oct.-May) **No more published.** (Entry appears for the first time in Supplement, 1955.)

HARVARD LAW SCHOOL RECORD. v. 1-22; July 17, 1946-Feb. 1956* Cambridge, Mass. 2 vols. per year, 24 issues. **With vol. 22, no. 1, Feb. 2, 1956, title changed to Harvard Law Record.**

FACULTY OF LAW REVIEW, CANADA.

LAWYER AND BANKER AND CENTRAL LAW JOURNAL. v. 1-27, no. 1; 1909-Jan./Feb. 1934. New Orleans, Lawyers' and Bankers' Corp. Issues

2. Corrections and changes should be considered as directly affecting the original list of Anglo-American legal periodicals in Appendix III, PRICE & BUTNER, EFFECTIVE LEGAL RESEARCH (1953), except as otherwise noted. Where feasible, we have indicated the changes made in bold face type. Changes and corrections have been brought to February 1, 1958.

for July/Aug. 1927-Jan./Feb. 1934 called new series, v. 20, no. 4-v. 27, no. 1 and also old series, v. 101-108. Title varies: 1909-Oct. 1913, *Lawyer and Banker and Bench and Bar Review* (varies slightly); Dec. 1913-July/Aug. 1927, *Lawyer and Banker and Southern Bench and Bar Review*. Editor: C. E. George. Absorbed *Central Law Journal* in 1927. *Bi-M.*

LEGAL CENTER NEWS. *See* Supplement, *supra*.

MAGISTRATE: official organ of the Justices' Association of Western Australia, Inc. v. 1-48, no. 7; 1916-July 1957. Perth, W. A. Numbering skips from vol. 14, no. 10 to vol. 16, no. 11. Superseded by *The J. P. W. A.*

MIAMI LAW QUARTERLY. v. 1-12; March 1947-Fall 1957* Coral Gables, Fla., School of Law, University of Miami; Dade County Bar Association. Changed title with v. 12, no. 1, Fall, 1957 to *University of Miami Law Review*.

MONTHLY LAW REPORTER. v. 1-27, no. 7; March 10, 1838-May 1866. Boston, W. Guild. Publication suspended Sept. 1861-Feb. 1862 and Aug. 1865-March 1866. Issues for May 1848-May 1858 (v. 11-21, no. 1) also called new series v. 1-11, no. 1. Title, March 10, 1838-April 1848, *The Law Reporter*. Publisher varies.

NATAL LAW QUARTERLY. 6v. March 1902-Dec. 1907. Durban, Robinson & Co., Ltd. Vol. 2, no. 5, 1904, separately pagged. Vol. 3 not issued.

United with *Natal Law Journal* to form *Natal Law Magazine*.

NEW YORK LAW SCHOOL STUDENT LAW REVIEW. v. 1-2. Fall 1951-Summer 1953. New York. 3 times a year. Superseded by *New York Law Forum*. Combined t.p. and index for v. 1-2.

NORTHWESTERN UNIVERSITY LAW REVIEW. v. 1-52; May 1906-1957* Published by Northwestern University School of Law. Title, v. 1-46: *Illinois Law Review*. Vol. 19, no. 3-v. 27, no. 2, edited jointly by the Law Schools of Northwestern University, University of Chicago and University of Illinois. Absorbed *Illinois Law Quarterly*, Nov. 1924. *Bi-M.*

SCHOOL OF LAW REVIEW, UNIVERSITY OF TORONTO. *See* TORONTO, UNIVERSITY. FACULTY OF LAW REVIEW.

STUDENT LAW REVIEW, NEW YORK LAW SCHOOL. *See* NEW YORK LAW SCHOOL STUDENT LAW REVIEW.

TORONTO, UNIVERSITY. FACULTY OF LAW REVIEW. v. 1-15; 1942-April 1957* Vol. 17-13; *School of Law Review. A.*

UNIVERSITY OF DETROIT LAW JOURNAL. v. 1-18; 33-34; Nov. 1931-April 1957* Detroit. Publication suspended Feb. 1933-Oct. 1939. Supersedes *University of Detroit Bi-monthly Law Review*. Vol. 19- (including 14 volumes of the *Bi-monthly Law Review* (1916-1931) called v. 33-). *Bi-M.* (Nov.-May)

UNIVERSITY OF MIAMI LAW REVIEW. *See* MIAMI LAW QUARTERLY.

UNIVERSITY OF TORONTO FACULTY OF LAW REVIEW. See TORONTO. UNIVERSITY. FACULTY OF LAW REVIEW.

VANDERBILT LAW REVIEW. v. 1-10; Dec. 1947-June 1957* Nashville, Tenn., Vanderbilt University. August issue is "Annual Survey of Tennessee Law." 5 times a year, Dec., Feb., April, June, Aug. (v. 1-5, 4 times a year).

* VIRGINIA LAW REVIEW. v. 1-43; Oct. 1913-Dec. 1957* Charlottesville, University of Virginia Law School. Absorbed *Virginia Law Register*, May 1928. Periodicity varies: v. 1-29, M., Oct.-May or Nov.-June; v. 30-31 (1943/44-44/45) Q., v. 32-33 (1945/46-47) 6 times a year; v. 34- (1948-) 8 times a year.

WESTERN RESERVE LAW REVIEW. v. 1-8; June 1949-1956/57* Cleveland, Ohio. Supersedes *Western Reserve Law Notes*. Q. (v. 1-3, twice a year).

WILLIAM AND MARY REVIEW OF VIRGINIA LAW. v. 1-2; May 1949-1956. Williamsburg. Intramural law review published by students of Dept. of Jurisprudence, College of William and Mary. Superseded by *William and Mary Law Review*. A. (v. 1 in 4 issues, 1949-52; v. 2 in 3 issues, 1954-56)

WISCONSIN LAW REVIEW. Oct. 1920-July 1957* Madison, published by University of Wisconsin Law School. 1920/22-1936/37 called v. 1-12. B. M. (v. 1-4, Q.)

WORLD POLITICS, a quarterly journal of international relations. v. 1-9; Oct. 1948-1957* Princeton, N. J., published by Princeton University Press under the editorial sponsorship of the Center of International Studies, Princeton University. (v. 1-3, Oct. 1948-July 1951, published by Yale Institute of International Studies, New Haven, Conn.)

Questions and Answers

Compiled by MARIAN G. GALLAGHER, Librarian

University of Washington Law Library

and

MARY W. OLIVER, Librarian

University of North Carolina Law Library

The compilers will attempt to find answers to questions regardless of their suitability for publication, and questions which seem to need immediate replies will be answered by mail prior to publication in the *Law Library Journal*. Address questions to Mrs. Marian G. Gallagher, Law Librarian, University of Washington Law Library, Seattle 5, Washington, or Miss Mary W. Oliver, Law Librarian, University of North Carolina Law Library, Chapel Hill, North Carolina.

1

Question:

I have been asked for current statistical information on labor, such as the number of strikes resulting from labor-management disputes. Where can I locate recent statistics on the subject?

Answer:

The *Monthly Labor Review* published by the U. S. Bureau of Labor Statistics publishes many labor statistics in a section called "Current Labor Statistics." This section includes tables on employment and payrolls, labor turnover, earnings and hours worked, the consumer price index, building and construction statistics, and tables on work stoppages resulting from la-

bor-management disputes. While not the only source of information, this is one of the most up-to-date sources which is readily available. (MWO)

2

Question:

We are frequently asked how to address government officials. Is there any book which will give us this information?

Answer:

A good secretary's handbook usually includes correct forms of address for most officials. We have found that Besse May Miller's *Legal Secretary's Complete Handbook* (Prentice-Hall, 1953) contains at pp. 92-112 a very complete chart including both written and spoken forms of address, formal and informal salutations and closings. Lois I. Hutchinson's *Standard Handbook for Secretaries* (7th ed., McGraw-Hill, 1956) has a similar list. (MWO)

3

Question:

Over a period of years, we have acquired many of the English Reports. We have recently been working on these, trying to identify the editions and weed the duplicates. We can find

many lists of English Reports but these lists give very little information concerning the editions published, variations in editions, etc. Is this information available? Is it necessary to retain copies of all printings?

Answer:

We have faced the same problem recently and used several sources to obtain the information we needed to identify the material. Some of the old bibliographies, if available, are very helpful. We found the following gave us a great amount of information:

Bridge, Richard W., *Short View of Legal Bibliography* (London, 1807).

Marvin, J. G., *Legal Bibliography* (Phila., T. & J. W. Johnson, 1847).

Wallace, John W., *The Reporters* (Boston, Soule & Bugbee, 1882).

Soule, Charles C., *Lawyer's Reference Manual* (Boston, Soule and Bugbee, 1883).

Fox, J. C., *Handbook of English Law Reports* (London, Butterworth, 1913).

Maxwell, W. Harold, *Complete List of British and Colonial Law Reports and Legal Periodicals* (3d ed., Toronto, Carswell, 1937). Some of this information is also found in Appendix IV of Arthur S. Beardsley's *Legal Bibliography and the Use of Law Books* (Chicago, Foundation Press, 1937.)

U. S. Library of Congress, *Catalog of Printed Cards*, and Supps.

As to whether it is necessary to retain copies of all printings, the answer seems to be that unless there are compelling reasons for not keeping the variations (such as inadequate space),

they should be kept. Many libraries have kept the various editions but have made no effort to catalog or otherwise process them, simply holding them for use if necessary. If it is necessary to weed, the books listed above are quite helpful in evaluating the editions. (MWO)

4

Question:

I have been trying to find a list of Institutes of Government or similar organizations but so far have been unable to find one. Is there such a list?

Answer:

I know of no complete list of such organizations. It is difficult to compile such a list as there is much variation in the Institutes and in the work which they do. Some of the organizations work with public officials only, training them for their jobs and giving them advice; some do only legal or governmental research; some do research while training people in their graduate programs; still others combine two or more of these functions. You will find that many groups doing this type of work are associated with universities, both state and independent; some are connected with the State libraries, whereas others are independent agencies of the State. However, you may find some of the information you need in the following publications: *Directory of Organizations and Individuals Professionally Engaged in Governmental Research and Related Activities*, 1954-55, published by the Governmental Research Association, 684 Park Avenue, New York 21, N. Y., and *Public Administration Organizations*, 6th ed., 1948, pub-

lished by Public Administration Clearing House, 1313 E. 60th Street, Chicago, Illinois. (MWO)

5

Question:

We have been concerned as to an inconsistency which has appeared in our subject cataloging. Where we have more than one edition of a title, the same subject heading, even though applicable, has not been used for every edition. As a result, a user of the catalog may look under a subject and find only the first and third edition of the title though the library has four editions. We could and have tried to check the tracings on the main entry in the catalog, but this consumes a lot of time which is badly needed for other work. Have you any suggestions as to other ways in which this can be handled?

Answer:

This is a question which could better be answered by a cataloger, but in checking to see how other libraries have taken care of this I have found the following systems in use. (This is based on a limited sampling.)

Some of the libraries try to check the tracings from the main entry card to insure consistency. As you say, this is a time-consuming procedure. One library indicates the tracings on both the main entry and the shelf list card, thus giving them a more convenient source for this information. Since they always have to check their shelf list in assigning call numbers, they find the subject headings used for prior editions at the same time.

Another method in use is to put subject cards in for only one edition

with a reference to the main entry for other editions in the library. Policy varies as to whether the subject card is for the first or last edition. While the user of the library is more likely to be interested in the latest edition, the work involved is considerably less if a new card does not have to be made and filed for the new editions. Indeed, if the cards have already been made and filed for the earlier editions, there is little advantage, unless the card catalog is too large, in not retaining the earlier cards. Probably the simplest method is to put a reference to the main entry on the card which you have readily available, regardless of whether it is the first, last, or any other edition. In the absence of a card which can easily carry such a reference, it is simple to make such a reference card, giving the author's full name, the title, call number and the reference "For editions in Library see Main (Author) entry." This last method reduces the amount of time spent in typing and filing as well as conserving space in the card catalog. (MWO)

6

Question:

What form of legal citations do you recommend for use in theses written in other departments of the University by non-law students but which involve some law citations? Our University has a manual of style which is to be followed for the references used in the preparation of theses. The form of these is much different from that commonly used in the law. Is it better to make the law citations conform to the general requirements or to use the form we consider proper?

Answer:

It would seem more important to the student to follow instructions of the people who will grade his thesis than to join in a purist crusade, and so, if asked, we usually try to cooperate with the thesis instruction form. The resulting citations are only slightly strange, and one can still identify the law books to which they refer. If your University's style manual requires a form which omits some identifying element or creates confusion for the thesis user, then we should assume that something ought to be done about it. Education of the individual thesis writer would be a temporary measure and would involve some risk to him unless you first educate his departmental instructors. Perhaps you could lend them a copy of *A Uniform System of Citation* or Price's *A Practical Manual of Standard Legal Citations*, and accompany the loan with suitable remarks. Perhaps every university law librarian should wait upon the compilers of the local style manual with the purpose of improving the next edition. (MGG)

7

Question:

For many years we have been clipping biographical material about our state's lawyers from the local newspapers, pasting them in clipping books and indexing them by name. We use rubber cement because it is less messy than paste or glue and mistakes can be corrected more easily. Now one of our library board members has told us rubber cement is the worst thing we can use, that the clippings are all going to fall off after a

while. Do you know whether this is true?

Answer:

One hesitates to join your board member in his voice of doom pronouncement, but, yes. And furthermore they may turn brown before they fall off. This is a subject upon which we can speak with some authority, being associated with a library which has in its collection a sizeable number of volumes of brown falling-off clippings. We assume that your "for many years" reference is relative. The brown falling-off period here seems to be something over ten years. Variables attributable to atmospheric conditions and careless cementers are unknown to us.

We trust that you have not become panicky and switched to ordinary library paste. The Seattle Public Library tells us, via a reprint from the *Consumer Bulletin* of December 1957, that ordinary library paste will dry up, become brittle or discolored, and the clippings become loosened or almost unreadable with time (rubber cement is worse, though). Via the same reprint, the Seattle Public Library recommends the use of Paisley Map Mounting Paste No. 4180, available in one-pint containers at \$1.85 from Paisley Products, Inc., 630 West 51st St., New York 19. We have not yet had to approach the problem of the clipping which has disengaged itself completely from the page, so we do not know whether Paisley's Map Mounting Paste will work on top of rubber cement remains, but its use for fresh clippings is very satisfactory. (MGG)

In Memory Of Robert Morgan Brown

Robert Morgan Brown was born on the 18th day of August 1908, in the city of Toronto, Canada, the son of Charles Raynor Brown and Ella G. Brown, both of whom were well known to the older members of the American Association of Law Libraries. He was educated at the University of Toronto Schools and the Academy of the New Church at Bryn Athyn in Pennsylvania. Mr. Brown, Sr., was president and general manager of the Carswell Company Limited from 1938 to 1945 after having represented it in the United States for many years. In 1928 Bob—it would not seem right to call him by any other name—joined the Company, and from 1938 to 1945 was its representative in the United States. It is safe to say that every American law librarian during that period knew him and looked forward to his visits. Ray Brown died in 1947 and Bob became vice-president and general manager in 1946, which position he held to the time of his death on the 5th of January, 1958. He was an active member of the Olivet Church of the New Jerusalem in Toronto.

Mr. Brown, Sr., was a regular attendant at the annual meetings of the Association from 1908 to 1940 and Bob attended almost all of them since that time, generally accompanied by Mrs. Brown. For several years they have been host and hostess at the

Carswell party which immediately precedes the Association's annual banquet and which has become a delightful part of the convention proceedings. Bob was chairman of the Committee on Local Arrangements for the meeting in Toronto in 1952.

He leaves behind his widow, Doris Ellen, and two daughters, one of whom is attending school at Bryn Athyn, Pennsylvania.

Bob Brown was not a member of many associations. It may be said that his family, his church, his Company, the American Association of Law Libraries, and a host of friends made up his life. Letters received at the Company's office since his death testify to the number of his friends and the affectionate regard in which he was held. Writers of these refer to his energy and drive, his zest of life, which stimulated those about him, his gay and engaging character, his warm-heartedness, ready smile and genuine conviviality. One refers to him as "one of the year's highlights." They recall his fairness and helpfulness, his great kindness and thoughtfulness and his cordial understanding of and consideration for others. He was a "fine and real friend" who could always be depended on for help when it was needed.

Bob is said to have contributed much toward a better appreciation and understanding of each other by

publishers, lawyers and librarians. An author of one of the legal treatises published by his Company writes that "all his authors" will greatly miss "his helpful advice and sympathy."

To sum up, we have lost a gracious gentleman, a fine executive, a man of

deep religious feeling, devoted to his family and his work, and a well-loved friend. Law librarians have suffered a great loss, not only professionally but personally as well.

GEORGE A. JOHNSTON

CURRENT COMMENTS

Compiled by LOIS PETERSON, Assistant Librarian

Social Law Library
Boston

Yale Law Library Harry Shulman Labor Conference Activities. During January the Yale Law Library sponsored an exhibit of articles, portraits and testimonials honoring former Dean of the Law School, Harry Shulman. The event was organized in connection with the 1958 Harry Shulman Conference on Current Problems in Labor Relations which was held at the University, January 10-11.

In conjunction with the Conference, the Library published a 19-page *Bibliography of Yale Law School Writings on Labor* containing citations to works by Dean Shulman from 1903 to 1955; Yale Law School faculty writings on labor since 1948; a bibliography of Yale Law School student writings on labor (doctoral dissertations, masters' theses, essays and seminar papers); and articles, book reviews, comments and notes on labor appearing in the *Yale Law Journal* since autumn 1946.

Space Law Collection Commenced at the University of Oklahoma. Materials concerning the law of space are being coordinated into a collection at the Law Library of the University of Oklahoma. Associate Professor Mortimer D. Schwartz of the University Law School, who is in charge of the endeavor, states: "We are collecting materials on space law in all lan-

guages—German, English, French, Russian, or other languages in which the material appears. We are attempting to make the University of Oklahoma collection the most comprehensive collection of its sort in existence. The development of this collection on space law is a part of the program at the University to develop more facilities for research on this campus."

Arrangements are being made with scholars throughout the world to send copies of their writings on space law directly to the Library. It is hoped the University will become a central depository for all contributions on a subject which is of growing concern to all nations.

College of William and Mary in Virginia Receives Gift of Roman Law Material. The Marshall-Wythe Law School of the College of William and Mary in Virginia has received over 1,000 items from the personal library of Dr. Charles P. Sherman.

Although chief emphasis of the collection is upon Roman law and comparative law, works on political and social science, international law and church law, both canon and protestant, are also included. In addition, there are volumes relating to the statutes of England, India, Canada, Germany, Holland, Italy, Portugal, Spain, Switzerland, Japan, Latin

America, Argentina, Mexico, the Philippines and Ancient Greece.

Dr. Sherman was a charter member of the American Association of Law Libraries and is the author of the three-volume *Roman Law in the Modern World* which has passed into three editions since its publication in 1917.

Law School Building Activities. Ground was broken for the new \$4,000,000 University of Chicago Law School building on December 5, 1957, during ceremonies attended by University and bar officials. The contemporary style structure, completion of which is expected in time for the School's 1959 fall term, will occupy a full block site immediately west of the American Bar Center facing 60th Street and the University of Chicago Midway. Features of the building include an auditorium seating 475 persons, a moot courtroom accomodating 350 and a 300,000 volume capacity law library. The main part of the structure will be six stories high.

Construction has also commenced on a new home for the William Mitchell College of Law in St. Paul, Minnesota, and on a million dollar legal research center and law school building at the University of Colorado.

Dean Wilson G. Stapleton of Cleveland-Marshall Law School announced recently that that institution has purchased the structure in which it is located and is engaged in extensive remodeling operations. A new building has been acquired by Temple University Law School to house its Law Library.

Harvard Law School has begun

construction on a \$1,000,000 addition which will contain its program of international studies, provide additional library space and increase classroom and faculty facilities.

Law Schools Study Available. The Survey of the Legal Profession recently published *Law Schools of the United States* by Lowell S. Nicholson, former dean of Northeastern University Law School and present assistant attorney general of Massachusetts. It is a factual and statistical report on the nation's law schools, and its 275 pages are believed to contain more basic data concerning them than can be found anywhere else.

Complimentary volumes are being sent to cooperating law schools. Others may obtain single copies from the Survey, 60 State Street, Boston 9, for \$3.00.

Medicolegal Forms Compilation. A new pamphlet, *Medicolegal Forms with Legal Analysis*, is available from the American Medical Association Law Department, 535 North Dearborn Street, Chicago 10, for \$1.00. It is a 111-page document containing a variety of forms for the guidance of physicians, surgeons and hospitals which is also of value to lawyers. The examples and accompanying analyses are under such headings as "Consent to Operations," "Right to Privacy," "Autopsy," "Confidential Communications," etc. Numerous court decisions bearing on these subjects are cited.

The booklet, although practical, does not attempt to be exhaustive. Its information should be supplemented "by competent local legal advice."

Cataloging Information May Be Internationalized. During the American Library Association's midwinter meeting in January, the Association of College and Research Libraries heard a report by Andrew S. Osborn of Harvard University Libraries on his study of "cataloging at source." He feels there is a willingness on the part of publishers to include cataloging information in books and believes that, in connection with this, an international catalog code can be achieved in the near future. (See Current Comments, Feb. 1957).

It is also hoped that an effective and inexpensive copying machine will be developed so libraries may make use of the data to be supplied in books by reproducing catalog cards directly through improved copying techniques. Dr. Osborn suggested that cataloging for this program in the U. S. might be done by the Library of Congress and in other countries by national libraries.

Completely Automatic Microfilm Reader-Printer Available. It is possible to obtain clear copies of microfilmed documents automatically with the new 3M Brand Microfilm Reader-Printer. An operator simply locates the material to be reproduced on a large reader screen, then presses a button. Within eight seconds a full size (8" x 10½" or 8" x 11") copy is ready for use. One roll of 3M Brand Microfilm Print Paper yields 250 reproductions, one at a time, for less than eight cents per copy.

The price of the machine, which operates from standard 110 volt a.c. current, is \$629.00 delivered with

16mm or 35mm lens from the Minnesota Mining and Manufacturing Company of St. Paul. Equipped with both lens, the cost is \$695.50.

British Microreproduction Firm Requests Information Concerning U. S. Needs. Micro Methods Limited, 17 Denbigh Street, London S.W.1, is in the process of contacting a number of English legal organizations with a view to publishing their reports and periodicals in microcard or microfilm form. To augment this program the firm wishes to learn what, if any, English materials American law libraries would like to obtain through these mediums. One item already suggested by American sources is the earlier issues of *English Reports*.

American libraries may contact Mr. E. P. Danger of Micro Methods for copies of specific English material. He writes the AALL that if any of its members should require "a microfilm or microcard copy of any particular legal material from this country we would be very happy to search for it and to make the necessary films."

Carry-Over System for State Legislative Bills Held Desirable. A recent survey by the Council of State Governments found indications that the adoption by states of a carry-over system for legislative bills would result in considerable savings in respect to economies of bill drafters, committee time and energies and printing costs. This type of plan, similar to the one in use on the federal level, would also tend to mitigate end-of-session "log jams" of bills.

At present the two-session method is in use in Georgia, South Carolina

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and Puerto Rico. Approximately 20 to 25 percent of all bills and resolutions introduced in Georgia are carried over from the first to the second session of a given legislature. In Massachusetts where single sessions are held, "repeater" bills account for 20 to 25 percent of the total bills filed.

Double sessions have been considered at some time or other by Arizona, Michigan and New Jersey.

Record Number of New Laws Passed Last Year. As was anticipated (See Current Comments, Nov. 1957), state legislatures set a record for new legislation in 1957 by passing 29,536 laws. This, according to Commerce Clearing House, represents a 21 percent increase over enactments approved in 1955, the last previous heavy legislative year. During 1957 lawmakers produced better than one law for every three bills introduced in 62 regular and special sessions. All states except Kentucky and Virginia were active. In 1955 all states except Kentucky met in 61 sessions but passed a smaller percentage of bills introduced.

Chicago Law Institute Statistics, 1957. During the calendar year 1957 the Chicago Law Institute paid out \$27,356.44 for salaries; \$25,271.03 for books and periodicals; and \$1,779.25 for binding and book repairs. Additional disbursements raised total expenditures to \$63,942.61.

The Library's facilities were used by 99,970 persons who withdrew 94,546 volumes, resulting in a daily circulation average of 308 items. Sunday and evening attendance was 4,385,

including members, ticketholders, clerks, students and visitors.

Over 1,600 new books, 1,612 to be exact, were added to the collection. Of these 640 were reports, 182 textbooks, 158 digests, 303 statutes and session laws, 272 periodicals and the remainder miscellaneous.

New Legal Column Syndicated. Law in the News, a different approach to law reporting, deals with legal aspects of important news stories. Its aim is to relate the law to current events of wide public interest—for example, the Bergman-Rossellini separation, space law or the McClellan rackets committee investigation.

The column, which is written by two Washington, D. C., lawyers, Phil Yeager and John Stark, is syndicated by Consolidated News Features of New York, an affiliate of Bell Syndicate and the North American Newspaper Alliance. It appears twice weekly in a number of major cities.

Mr. Yeager says of the enterprise: "We do not make up any hypothetical situations or endeavor to give legal advice. Every article is based on a documented news development and is designed solely to clarify the legal aspects of the event which may be of interest to, or puzzle the layman. We steer clear of discussing any personal lawsuits which still are pending in court."

Law Library Discussion Panel. Professor Paul A. Freund of Harvard Law School opened a discussion on "Law Libraries and Other Aids to Law Teaching and Study" at the forty-third annual meeting of the Society of Public Teachers of Law held

at Belfast, Ireland, September 18-21, 1957. His remarks upon the occasion may be found in the December 1957 *Journal of the Society* along with a few comments made by British colleagues who were present.

Book Selection in Law Libraries. A very general 8-page article concerning some major collection aims of the various types of law libraries was published in the January 1958 *Cleveland-Marshall Law Review*. In *The Problem of Selection in Law Libraries*, Theodore Samore, Assistant Professor of Library Science, Ball State Teachers College, Muncie, Indiana, explains how law library collections are formed to meet the needs of their users.

Korean Criminal Code. Leading concepts of present Korean criminal law are analyzed by Paul Kichyun Ryu, Professor of Law, Seoul National University, in his paper *The New Korean Criminal Code of October 3, 1953*. (*Journal of Criminal Law and Police Science*, Sept./Oct. 1957, pp. 275-295).

The *Code*, as is explained in some detail, was influenced mainly by Anglo-American and German legal ideas, but certain parts of it are traceable to Chinese cultural patterns. Portions of classical Chinese thought expressed in the teachings of Confucius and Mencius are embodied in the law. For instance, it is assumed human beings are born good, so that an ideal civilization is one governed by an irreducible minimum of legal provisions. Society is divided into two classes: common man and noble man, leading to the rule of the former by the latter.

Thus, when a government official commits a crime, his punishment is more severe than the penalty imposed upon ordinary men. Accepted also is the basic Confucian moral concept of filial duty. An individual may not lodge a complaint against lineal ascendants. When a man kills, injures or harms his or his spouse's ascendant the punishment is aggravated.

Certain specifically Korean moral beliefs appear in the *Code*, of course. The element of "evil motive" renders an offense an aggravated crime. "Punishment for simple perjury is penal servitude for not more than five years, whereas that for malicious perjury (for the purpose of causing injury to a person accused of crime) is aggravated up to ten years. A similar gradation of punishment applies to crimes of suppression of evidence and of harboring. Moral censure of falsehood is expressed in the differential treatment for defamation depending upon whether it does or does not accord with the truth. Subject to certain exceptions, a public allegation of defamatory—even though true—facts is punishable by penal servitude or imprisonment for not more than two years or fine not exceeding fifteen hundred Hwan; in contrast, a mere public allegation of false facts is punished by penal servitude or imprisonment for not more than five years or suspension of qualifications for not more than ten years."

Soviet Criminal Law. Factions within the Soviet Union have been attempting to achieve a new criminal code since the death of Joseph Stalin. Extensive debate by law professors,

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law institutes and the press has expressed widespread dissatisfaction over court conditions developed during Stalin's regime. In March 1953 Beria promised that new codes would be ready in six months and stipulated that drafts be drawn up in preparation for legislative action. To date no corrective criminal legislation has been passed, but various private groups and individuals have submitted material to the code compilers for consideration. Some citizens believe long delay of enactment of a few of these ideas would be exceedingly difficult. This year may well indicate the speed with which action is to come, for evidence denotes that official drafts are nearing completion.

The above is from information gathered by John N. Hazard for *Law and Men in Soviet Society*. (*Foreign Affairs*, Jan. 1958, pp. 267-277). Major reforms, he says, are being advocated in several areas of Soviet criminal justice. Soviet law professors have declared themselves in favor of eradicating the "analogy" article by which a court is permitted to find any act "socially dangerous" and to punish an offender appropriately, using as legal basis for the sentence articles of the code which the judges believe to define analogous action as a crime. In 1957 a rapporteur attending a meeting of 115 legal specialists at the All-Union Institute of Juridical Science in Moscow, said, "the principle of further strengthening of socialistic legality in the sphere of criminal law must be reflected in the codification by the republics of criminal legislation. This task will be served by the rejection of analogy and by straight-

forward declaration in law that punishment may be applied only for a crime provided for in the law."

A cry has also gone out against provisions authorizing exile to Siberia for periods of five years for members of a family of a soldier who flees the country, even if the relatives knew nothing of the planned escape. There seems to be no objection to provisions punishing families who knew of the plot and failed to report it, however. Reforms advocating constitutional guarantees of inviolability of home and correspondence, moderation of existing forms of punishments (including that of juvenile delinquents) and recommendations for some form of jury trial for serious offenders are also being brought to the attention of those drafting the new code.

"What many of the law professors are probably hoping is that in 1958 they can convince the Party leaders that their absolute monopoly on the truth in broad matters of policy is not being challenged, but that the aim is only to make certain that the guilty are punished. The lawyers will argue, as they have in the past, that they are not asking for a return to 'liberalism' but that their proposals will enhance the security of the state by assuring that dangerous criminals are not left to roam the streets while courts relax their vigilance in the belief that they have already convicted the guilty man. They may also argue that people will tend to feel a stronger loyalty to a state which strives to render justice, and that such an attitude among citizens will permit the administration to economize on the cost of maintaining power."

French Code Reform. The Method of Reform of the French Codes of Private Law by Roger Houin (*Tulane Law Review*, Dec. 1957) reviews progress being made by commissions charged with drafting new French codes. Although the article mentions work being done in various fields of recodification, it is primarily concerned with the labors of the Commission for Reform of the Code Civil and the Commission for Reform of the Code de Commerce and the Law of Companies.

The 20-page text by Dean Houin of the Faculty of Law of Rennes and Secretary-General of the Commission for Reform of the Code Civil was translated from 8 *Revue Internationale de Droit Comparé* 9 (1956) by Ralph Slovenko, Assistant Professor of Law, Tulane University.

People to People Legal Program. Information concerning important functions of legal phases of the President's People to People Program appeared in the *Journal of the American Judicature Society* for February 1958 at pages 142-145. The sketch, written by a member of the United States Information Agency, explains what the plan is doing to promote better understanding of our legal profession abroad. It covers some of the broadcasts, literature, book centers and personal contacts sponsored by the Agency and others interested in this cooperative endeavor.

USIS-Madras (the USIA is known as USIS overseas) recently reported on a collection of American law publications which were presented to the High Court of Madras, India. In ac-

knowledging the gift, the registrar of the Court wrote: "I need not add that gifts of law books and journals are deeply appreciated and probably constitute the best way of promoting an understanding of American ideals and way of life. This High Court has made extensive use of American law publications and journals as a glance at the various law reports of our court will show. It is also well known that the authors of our Indian Penal Code which embodies the entire criminal law of India delved deep into the American Louisiana Code and the authors of the Indian Criminal Procedure Code also indented heavily upon American procedural systems. Our Specific Relief Act is based upon the New York Code. The latest acts have borrowed heavily from the American system of Jurisprudence. In fact there is no branch of the Indian Jurisprudence which has not borrowed from the American Jurisprudence. This is why books by standard American writers like *Wigmore on Evidence*, *American Jurisprudence*, *Corpus Juris* and other textbooks on special subjects are also stocked in our Library and they are freely made use of. The Constitution of India has imported articles of the American Constitution with the result that no lawyer or Court in India can afford to remain ignorant of the American Constitution textbooks by writers like Cooley, Willis, Willoughby, Rottschaefer, etc."

British International Law Digest. In *Towards a "British Digest" (International and Comparative Law Quarterly*, Oct. 1957, pp. 657-669) Clive

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Parry, University Lecturer in Law, Cambridge, reviews the need for a British digest of international law comparable to United States compilations in the field by Cadwalader, Wharton, Moore and Hackworth. His article is a survey of the dimensions such an effort would require as well as an outline of what has already been accomplished toward this goal. Since the early years, up to 1902, have been "generously opened" by Lord McNair's recently published *International Law Opinions*, the task of preparing a complete British digest becomes largely one of dealing with the later materials "insofar as the consultation of the archives is concerned. And for the rest it becomes one of compiling an encyclopedia from published sources."

While presenting a general picture of the subject from the U. S. and British situations, Mr. Parry's paper catalogs existing abridgments of international law in both countries.

Official Treaty Publications. In its 1957 Report, the Committee (of the American Society of International Law) on Department of State and United Nations Publications summarizes current treaty and international agreement material issued by the two agencies with which it cooperates. Included also are comments on possibilities for future contributions in the field.

United States Treaty Developments, it is expected, will be resumed by the Treaty Affairs Staff of the State Department in looseleaf form. That body has continued to compile notes concerning the application, judicial

and other interpretation, and modification of instruments since cessation of the publication in 1952. Resumption of the series would make a vast amount of material readily available.

The Department of State has requested an initial appropriation toward a 16-volume English edition of treaties from 1776 to 1949. Such a set would relate to *United States Treaties and Other International Agreements* which, since 1950, has been segregated from *Statutes at Large*. The proposed volumes would replace four existing comparable works, now out of print, that vary in editorial standards and go only to 1937.

Congress, the Report explains, has been asked for personnel to prepare a digest on international law to continue available compilations by Wharton, Moore and Hackworth. Actions since 1940—roughly the closing date of Hackworth's *Digest*—have been so great in quantity, innovation and variety that precedents of the last twenty years urgently require ordered and summary presentation.

The United Nations *Treaty Series* will continue in its established form. On the basis of current receipt of material and a schedule of 48 volumes a year, it is estimated about three years will be required to reduce the spread between registration and publication of documents to six months. The 5,517 instruments received by the Secretariat from December 14, 1946 to December 31, 1956 will fill 251 volumes as follows: 1946-47, 11; 1948, 12; 1949, 22; 1950, 32; 1951, 40; 1952, 34; 1953, 32; 1954, 18½; 1955, 20½; 1956, 29. "The recurrent complaint of the lack of indexes to the *Treaty Series* is

being met. For years only four indexes to 75 volumes have existed. In May a cumulative index to Volumes 1-100 will be issued and an interim index to Volumes 101-175 is expected to be distributed in July."

German Legal Abbreviations. Hildebert Kirchner's volume of current German legal abbreviations, *Abkürzungsverzeichnis der Rechtssprache* (Berlin, de Gruyter, 1957), is divided into two parts. The first division is an alphabetical list of all legal abbreviations with their meanings given in full. The second part classifies these entries (in alphabetical order in each section) into general legal abbreviations, those used by official agencies and corporate bodies, those found in official gazettes and related publications, those used in serials in the broad field of jurisprudence and those reserved for laws and regulations.

"Statutes at Large" Volumes to Be Reduced in Size. Effective with volume 71 (85th Cong., 1st Sess.) the *U. S. Statutes at Large* will be reduced in page size. This step, designed to make the set easier to handle, will also cut printing and binding costs by about \$3,000 per volume.

Ford Foundation Grants, 1956/57. The latest annual report of the Ford Foundation states that grants of \$334,000 to the University of Pennsylvania and \$200,000 to Northwestern University during 1956/57 bring to 14 the number of law schools that, since 1954, have received assistance for the expansion of their international legal studies programs. These funds are being used for new courses and mate-

rials, for faculty development and teacher training, for fellowships for foreign lawyers and for research.

"Cooperative projects of training and research between American and foreign law schools were supported under various Foundation grants. Five American law schools have undertaken such projects with nine foreign institutions. A grant of \$68,000 was made this year to Columbia University to help finance over a six-year period a cooperative program of legal research and training on Indian legal problems. It will be conducted by the Indian Law Institute in association with American and other non-Indian law schools and lawyers."

To further studies being made on the effectiveness of state constitutions, the Foundation made three contributions: \$160,000 to Columbia University for a two-year program of research and publication of basic state legal and constitutional materials; \$150,000 to the National Municipal League to prepare pamphlets and manuals on problems and issues of constitutional change and on the organization and machinery of state constitutional conventions; and \$150,000 to Rutgers University for a study of selected state constitutional problems.

Two subsidies—one of \$24,397 to Washington State Research Council, Inc., and another of \$23,000 to West Virginia University—enabled legislators of those areas to hold pre-legislative conferences at which problems of their respective states could be discussed without time pressures of a legislative calendar.

The American Association of Law Schools received a gift of \$10,300 to

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study available resources for legal education and their administration by universities and law schools in the United States, and Syracuse University was granted \$325,000 for an inter-university research program on histories of administrative decisions.

The Ford Foundation in the 1957 fiscal year undertook new commitments totaling \$83,029,117. These included \$46,044,717 in new grants and \$36,984,400 in new appropriations that will be converted gradually into grants and projects associated with grants. A total of \$345,200,897 was paid out in contributions made within the year or carried over from prior years. Actions during 1957 brought to more than one billion the Foundation's grants and appropriations since it was established in 1936.

LC Receives Research Funds. The Rockefeller Foundation has given \$65,000 to the Library of Congress for the study of sound recordings preservation. This research project on the handling and care of discs and magnetic tapes will be carried out by the Southwest Research Institute of San Antonio, Texas, with the aid of the Library of Congress Recording Laboratory. A group of scientists will serve as consultants.

LC Printed Cards Catalog Reprint Prices. Pageant Books, Inc., has distributed subscription blanks announcing final plans for the reproduction of *A Catalog of Books Represented by Library of Congress Printed Cards, 1898-1942*. (See Current Comments, Nov. 1957). Prices have been set at \$1,250 for subscriptions received before June 1, 1958, with payment due

by September 1. To libraries desiring to purchase volumes as they are issued, the cost will be \$8.00 per volume, or \$1,336. Those preferring to be billed after the complete set is delivered, or those who order after June 1, will be charged \$1,500.

The first 12 volumes of the 167 piece series are scheduled for publication in September. Thereafter subscribers will receive from 12 to 15 books each month until delivery of the entire set containing nearly 2,000,000 entries is completed.

"National Union Catalog" Subscription Price, 1958-1962. The cost of annual subscriptions to the published section of the *National Union Catalog* has been set at \$260 per annum for the next five years. This rate covers all issues—monthlies, quarterlies and annual cumulations and includes "Library of Congress—Motion Pictures and Filmstrips" and "Music and Phonorecords." It does not include the quinquennial cumulation, however.

It is estimated that the number of entries to be published in the catalog from 1958 through 1962 will total 1,270,475. About 65,339 pages will be required to accommodate these titles.

Monthly Index to United Nations Activities Started. The *Chronicle of United Nations Activities* began, with its issue of February 7, 1958, publication of a monthly index which fills a long-awaited need for those doing research in international affairs. Presented in the new list is a complete subject breakdown of the work of the United Nations and all of its specialized agencies, including the Interna-

tional Labor Organization, International Bank for Reconstruction and Development, World Health Organization, UNESCO and Food and Agricultural Organization.

UN's *Chronicle* is the only weekly periodical devoted to the work of world organization. Publication of its index (to be cumulated annually) is a further expansion of services which include: (1) a factual weekly report of the United Nations; (2) a weekly guide to U. N. documentation; (3) special research reports and, in addition, a separate monthly bibliography of economic and technical literature issued by intergovernmental organizations.

All State Civil Practice Checklist. A useful 6-page bibliography entitled *Civil Procedure, a Preliminary Checklist of State Practice Literature* was published in the *Record of the Association of the Bar of the City of New York*, February 1958. It lists currently important official and non-official material.

Medical Bibliography Distributed by the Los Angeles County Law Library. As a service to attorneys, the Los Angeles County Law Library has recently compiled and distributed a detailed, 23-page classified bibliography of its "Books on Medicine and Allied Fields of Current Reference Use." This medical bibliography is one of a continuing bibliographical series compiled by the Library from time to time.

Yale Law School 1956-57 Annual Report Available. The Annual Report of the Dean of the Yale Law

School for 1956-57 will be issued in published form only in the February 1958 *Yale Law Report*. Any library interested in obtaining a copy for their files may receive one by writing to the Law School Registrar, Miss Elsa E. Wolf.

Law Schools in and around Boston, Mass., to be Described. With the second number of volume 2 (Feb. 1958), the *Boston Bar Journal* inaugurated a series of articles on local law schools. The first account was a well-illustrated description of Boston College Law School which includes two photographs of its modern law library.

New Edition of Los Angeles County Law Library Classification Scheme. The Los Angeles County Law Library has issued the third edition of its classification scheme for law libraries entitled *Class K—Law*. This new edition incorporates all changes made to March 1, 1958. A limited number of copies is available for distribution to those who have a special interest in classification problems.

New York Session Laws of 1810. Ernest H. Breuer, New York State Law Librarian, reports that as the result of a recent inquiry concerning the New York session laws of 1810, he has decided the entry "1810 Jan 33d Ass'y Pub 91p" as listed in both Macdonald's *Check-list of Session Laws* and LC's *Guide to the Microfilm Collection of Early State Records* is actually a reference to volume 6 of *Laws of New York, 1802-1812*, printed by Websters and Skinner, Albany, 1812. Mr. Breuer points out that this entry of the 91-page volume of 1810

"Public laws" is correctly omitted in the checklist of New York session laws in the Massachusetts State Library's *Hand-list of Legislative Sessions and Session Laws . . . of the United States and . . . of the Several States to May, 1912*.

Law Books Sold at Auction, 1956-57. About 150 rare law books are reported as sold at auction in *American Book-Prices Current, 1957* (covering the period from July 1956 through June 1957). The most valued item was *The Definitive Treaty between Great Britain and the United States of America, 1783*, printed in Paris for Benjamin Franklin. In an uncut state it realized \$1350. Lincoln's copy of *Contested Election Cases, 1789-1834* brought \$325. A first edition of Holmes' *Common Law* was valued at \$38, while his *Speeches, 1913*, realized \$30. An Act of Congress, 1783, setting Duties on Rum, Wine, etc. sold for \$55.00; early journals of Congress varied in price from \$11 to \$22. Most state items were low priced. The New York *Debates and Proceedings . . . on the Form of Federal Government, 1788*, was the most expensive, at \$50. A Pennsylvania item, *Rules and Orders for Regulating the Practice in the Courts of Common Pleas of the 5th Circuit, 1811*, sold for \$22. Another Pennsylvania judicial address, Logan's *Charge Delivered from the Bench to the Grand Jury, 1723*, along with an autographed document of Logan, changed hands for \$55. The first American edition of Blackstone sold for \$30, while A'Beckett's *Comic Blackstone* auctioned for \$17. Among foreign law

items, Napoleon's *Gesetzbuch . . . Westphalie*, printed at Strasbourg, 1808, was worth \$160. The *Proceedings of the Civil War court martial of McMaster of South Carolina*, printed in Greenville in 1864, sold for \$30. A labor law landmark, *The Trial of the Boot & Shoemakers of Philadelphia . . . for a Combination and Conspiracy to Raise their Wages, 1806*, realized \$10. The rare law book market at auction was less interesting in 1957, but prices were about the same as in previous years. (Contributed by John W. Heckel, Los Angeles County Law Library)

Richard A. Ogg, law book dealer, died on February 1, 1958, in Palo Alto, California. After having been the representative of the Bancroft-Whitney Company in Texas for 15 years, he became one of the country's foremost dealers in rare law books and a subscription agent. Concerning rare books in the particular field of his interest, he kept records of all copies which were not yet in public libraries and watched for their availability for offering to public institutions. During the last few years, he gradually depleted his stock and lived in semi-retirement.

First Law Librarianship Course Offered at the University of North Carolina. The School of Library Science in cooperation with the School of Law of the University of North Carolina has inaugurated a program in law librarianship "planned to meet the demands of the library and law professions for training personnel for professional positions in law libraries."

The program, offered within the graduate curriculum of the School of Library Science, requires 30 semester hours of graduate work, nine of which consist of courses given in the Law School. Three semester hours credit will be given for the thesis which may relate to law librarianship.

Registration dates are: First term, June 5, 1958; Second term, July 16, 1958; Fall semester, September 16-17, 1958. Classes begin June 6, July 17, and September 18. Further information and admission requirements may be obtained from the Admissions Officer, School of Library Science, University of North Carolina, Chapel Hill, N. C.

New Law Library Course at Western Reserve University. Western Reserve University will offer a course in law library administration for the first time during the 1958 WRU Sum-

mer Session, June 16 through August 2.

This course is part of a new program sponsored jointly by the School of Library Science and the Franklin Thomas Backus School of Law of the University. Evelyn G. DeWitt, law librarian of the Cleveland firm of Baker, Hostetler and Patterson, has been named as instructor. Studies will include a survey and evaluation of library resources in the field of law with emphasis placed on bibliographical sources, methods of legal research, acquisition program, cataloging and classification and use of related materials.

Credit of three semester hours will be given for the course. Inquiries should be addressed to: Jesse H. Shera, Dean, School of Library Science, Western Reserve University, Cleveland 6, Ohio.

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MEMBERSHIP NEWS

Compiled by MARY W. OLIVER, *Librarian*

University of North Carolina Law Library
Chapel Hill, N. C.

(Note: Members are cordially invited to submit news of their professional activities to the compiler. Material received by the twenty-fifth day of February, May, August or November will appear in the next issue.)

MRS. SARAH F. BELL is now the law cataloger at the University of North Carolina Law Library. A graduate of the University of North Carolina, she received her M.A. in French from the same institution. She was a library assistant in the Chemistry Library at the University of California at Berkeley and for two years was Assistant in the Law Library at the University of Illinois. Mrs. Bell joined the staff at the University of North Carolina Law Library in September 1956 as Library Assistant in Charge of Order and Periodical Work. She assumed her duties as cataloger on January 1 of this year. While at the University of Illinois, she began her work toward a L.S. degree and she is continuing her work toward that degree at the University of North Carolina.

The Law School Foundation of the University of Virginia presented an award of \$500.00 to FRANCES FARMER as a token of appreciation for fifteen years of outstanding work for the Law Library. Miss Farmer was recommended for the award by the Faculty of the Law School.

VLADIMIR GSOVSKI, Chief of the For-

eign Law Section of the Law Library of Congress, was the recipient of the Distinguished Service Award and \$500.00 in recognition of his work in the development of the foreign law collection, for his scholarly research, his assistance to Congress and other Federal agencies, and for his devoted and distinguished service.

MRS. DOROTHY HEIZER is now Acquisitions Librarian at the Law Library at UCLA. A graduate of Western College for Women (Oxford, Ohio), she received her B.L.S. from Western Reserve School of Library Science. Before her marriage she served as an assistant branch librarian in the Lima Public Library. She joined the staff of the UCLA Law Library over a year ago as cataloger and assumed her new duties the first of this year.

JESSIE A. MACBETH, a new member of the Association, is with the County of York Law Library in Toronto. She received her B.A. from the University of British Columbia and her B.S. in L.S. from the University of Washington. She was associated first with the Vancouver Public Library, then with the University of Toronto Law Reading Room. For the past two years, she has been with the County of York Law Library.

LAURIE H. RIGGS, after serving for twenty-four years as Librarian of the Library Company of the Baltimore Bar, retired on April 1. Mr. Riggs was Librarian from March 23, 1934 until April 1, 1958. He served as President of the American Association of Law Libraries in 1946-1947. Miss BETTY HANCOCK has been appointed to succeed Mr. Riggs as Librarian.

KURT SCHWERIN, Research Associate in International and Comparative Law and Assistant Librarian, Northwestern University School of Law, has been appointed Associate Professor of Law, effective September 1, 1958. He will continue to serve as a member of the Library Staff.

MARIANNE SCOTT is the Law Librarian, Faculty of Law, McGill University. A graduate of McGill University, she received her B.A. in 1949 and her B.L.S. in 1952. For three years she was Assistant Librarian for the Bank of Montreal, Head Office. A new member of the Association, she assumed her present duties as Librarian in October 1955.

MRS. EULA WATTS is now Librarian at the Institute of Government at the University of North Carolina. Mrs. Watts has been Librarian for the Charlotte Law Building Library, Charlotte, N. C., and was a library assistant at the University of North Carolina Law Library. She has held her present position since September 1, 1957.

MRS. MINNA ZELL is Law Librarian at the New Castle County Law Library in Wilmington, Delaware. She has held the position since the retire-

ment of Miss Mildred R. Betts in 1955. The Law Library was formerly called the Judges Library but its name was formally changed by act of the State Legislature.

Correction Note: The editors wish to call the readers' attention to an error in the fourth item in the February 1958 "Membership News" column. MISS GEORGINA BROAD, in addition to being Assistant Law Librarian of the Law Society of Upper Canada, Osgoode Hall, has become the Editor of *Cases Judicially Noticed of the Canadian Abridgment*. MISS KATHERINE BAIKIE is now cataloger at Osgoode Hall.

AMONG OUR AUTHORS

How to Find the Law, 5th ed., edited by WILLIAM ROALFE includes in its list of contributors MRS. MARIAN G. GALLAGHER, EARL C. BORGESON, JULIUS J. MARKE, LEON M. LIDDELL, JOHN HENRY MERRYMAN, CARROLL C. MORELAND, LEONARD OPPENHEIM, VINCENT E. FIORDALISI, and MORTIMER D. SCHWARTZ.

RICHARD C. DAHL, Law Librarian of the Office of the Judge Advocate General, Navy, reviewed Alfred Avins' *Law of AWOL* in the November-December 1957 issue of the *Northwestern University Law Review*.

ERWIN C. SURRENCY, Law Librarian at Temple University, reviewed Catherine D. Bowen's *The Lion and the Throne* for the *Temple University Law Quarterly*, vol. 31, no. 1 (Fall 1957).

MINNETTE MASSEY, Assistant Law Librarian at the University of Miami,

is the author of *Law School Administration and the Law Librarian* published in the *Journal of Legal Education*, vol. 10, no. 2 (1957).

MILES O. PRICE's article *Law School Librarians' Educational Qualifications: a Statistical Study* was published in the *Journal of Legal Education*, vol. 10, no. 2 (1957).

MORTIMER SCHWARTZ, Law Librarian at the University of Oklahoma, is the author of *Legal Research in Oklahoma* published in the *Oklahoma Law Review*, vol. 10, no. 4 (November 1957). His review of Maynard Pirsig's *Cases and Materials on the Standards of the Legal Profession* appeared in the *Journal of Legal Education*, vol. 10, no. 2 (1957).

NEW MEMBERS

The following have recently joined the Association or have been designated as Institutional members:

JACQUELINE BARTELLS, Law Library, University of California, Berkeley 4, California.

MRS. B. CAPEL, Simpson, Thatcher & Bartlett, 120 Broadway, New York 5, N. Y.

MRS. ANITA CASSELL, newly designated member by Seton Hall University Law Library, 40 Clinton St., Newark 2, N. J.

J. S. ELLENBERGER replacing R. G. Ensana at Carter, Ledyard & Milburn, New York, N. Y.

PAUL F. FERGUSON, Essex County Law Library, Superior Court House, Federal St., Salem, Mass.

PAULA GRAW, designated Institutional member for the Los Angeles County Law Library, Los Angeles 12, Calif., replacing Flora MacKenzie.

MRS. DOROTHY L. HEIZER, Law Library, University of California, Los Angeles, replacing Mrs. Marie Wallace.

ROBERT E. KOVACEVICH, Spokane County Law Library, 922 Paulsen Bldg., Spokane, Washington, replacing Gordon Swyter.

RICHARD LEVINE, Law Library, University of Chicago, Chicago 37, Ill., replacing Ray Suput as an Institutional member.

SELMA B. LOKITS, Executive Secretary, New York State Association of Plaintiff's Trial Lawyers, 320 Broadway, N. Y. 7, N. Y.

JESSIE A. MACBETH, County of York Law Association Library, Toronto, Ontario, Canada.

EDGAR B. MAY, Library of Congress, Documents Expediting Project, Washington 25, D. C., as an Associate member.

ALICE W. MOORE, Cleary, Gottlieb, Friendly & Hamilton, 52 Wall St., N. Y. 5, N. Y.

DANIEL J. MURPHY designated as an Institutional member by the Law Library, Seton Hall University, Newark, N. J.

DOROTHY NARTKER, new Institutional member designated by the University of Illinois Law Library, Urbana, Ill.

NORMAN R. NEWMAN, Supreme Court Library, Indianapolis, Indiana, replacing William Statham.

WILLIAM H. D. NOLEN, new Institutional member, Law Library, University of California, Berkeley 4, Calif.

STANLEY PEARCE, newly designated Institutional member for the Los Angeles County Law Library, Los Angeles 12, Calif.

MARIANNE F. SCOTT, Law Library, McGill University, Montreal, Quebec, Canada.

MRS. EULA WATTS, Institute of Government, Box 990, Chapel Hill, N. C.

MARIE A. WILLIAMS, newly designated member for St. Louis University Law Library, St. Louis 8, Mo., replacing Audrey Amerski.

MRS. MINNA O. ZELL, New Castle County Law Library, Public Building, Wilmington 1, Del.

DR. LUDWIG ZELTVAY, new Institutional member designated by Law Library, Seton Hall University, Newark, N. J.

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American Association of Law Libraries

51st Annual Meeting—June 29-July 3

Sheraton-Park Hotel, Washington, D. C.

Program

SUNDAY, JUNE 29

2-6 p.m.
Advance Registration
Executive Board meeting

MONDAY, JUNE 30

8 a.m.-5 p.m.
Registration
9:30-12 a.m.
First General Session
Reports of Officers and Committees
12:30 p.m.
Opening luncheon
Invocation: Dillard Gardner
Presentation of scholarship winners
Message from President Eisenhower
Welcome: Helen Newman
Greetings from A.L.A.: Lucile Morsch
Response to welcome: Miles O. Price
Remarks: Secretary Robert B. Anderson
2-4 p.m.
The Chinese Embassy: open house.
Open for committee meetings
5-7 p.m.
Tea and reception for new members

TUESDAY, JULY 1

9:30-12 a.m.
Second General Session
Planning Law Library Buildings:
Forrest Drummond, chairman
Bibliographic Organization in Law Libraries:
John H. Merryman, chairman
(These two panels will be held concurrently)
12:30 p.m.
Luncheon, Washington Hotel roof
2-4 p.m.
Visit to Supreme Court Library, National
Gallery of Art and Library of Congress.
Optional: Galleries of Congress
5 p.m.
Tea at Whittall Pavilion, Library of Congress
Greetings from L. Quincy Mumford
8 p.m.
Third General Session
Photofacsimiles: The Committee's report,

discussion and demonstration
Arthur Charpentier, chairman

WEDNESDAY, JULY 2

9:30-10:30 a.m.
Fourth General Session
The Federal Register: Bernard L. Kennedy,
Director, Federal Register Division
10:30-11:30 a.m.
The Government Printing Office:
Carper Buckley, Superintendent of Documents
2:30-3:30 p.m.
Fifth General Session
Revision of U. S. Code: Charles S. Zinn,
Law Revision Counsel, Judiciary Committee, House of Representatives
3:30-4:30 p.m.
Revision of Copyright Code: A. A. Goldman, Chief of Research, Copyright Office
6-7:30 p.m. Cocktail party
8 p.m.
Banquet
Mrs. Marian Gallagher, Toastmistress
Address: Charles S. Rhyne, President
American Bar Association

THURSDAY, JULY 3

9:30-12 a.m.
Sixth General Session
Report on Ford Foundation grant
Report of Elections Committee; Association business
12:30 p.m.
Closing luncheon
Address: Dean Acheson, former Secretary of State
Installation of new officers
Report of Resolutions Committee
Benediction: Dillard Gardner
3 p.m.
Executive Board meeting
3-7 p.m.
Trip to Mount Vernon (bus one way and boat return)

FRIDAY, JULY 4

8 a.m.-7:15 p.m.
Visit to Charlottesville and Monticello as guests of the University of Virginia

BOOK REVIEWS

Harvard Law School. International Program in Taxation. *World Tax Series: Taxation in the United Kingdom*. Pp. 534. \$15.00. *Taxation in Brazil*. Pp. 373. \$10.00. *Taxation in Mexico*. Pp. 428. \$12.50. Boston: Little, Brown, 1957.

Problems concerning foreign investments are by no means solely of an economic nature. Governmental encouragement, both at home and abroad, protection of the domestic economy and currency, labor and social security protection, taxation problems and anti-alien measures or other preferential treatment of nationals make the practice of investment law a specialty of its own.¹

1. A good collection of materials on these problems would include: (1) National Foreign Trade Council, *Bulletins and Reference numbers* (both dealing with domestic and foreign laws, regulations and practices, in force or contemplated, affecting foreign trade). Other trade organizations with publications in this field are the National Industrial Conference Board, Inc. and the American Management Association. (2) Bureau of National Affairs. *International Trade Reporter* (looseleaf); Vol. 1, *Export Shipping Manual*; Vol. 2, *Import and Exchange Controls*. (3) Foreign Tax Law Association. *Foreign Commercial and Business Law Services* (looseleaf; available for ten foreign countries). (4) U.S. Dept. of Commerce. Bureau of Foreign Commerce. *World Trade Information Service*; Part 1, *Economic Reports*; Part 2, *Operations Reports*.

On foreign investments: (1) Harvard Law School. *Foreign Investment and Taxation* (1955). (2) Harvard Law School. *Tax Factors in Basing International Business Abroad* (1957). (3) U. S. Dept. of Commerce. Office of Business Economics. *U. S. Investments in the Latin American Economy* (1958). (4) International Cooperation Administration. *Investment Guaranty Handbook* (1957). (5) U. S. Bureau of Foreign Commerce. A series entitled *Investment in* — (here follows the name of the country dealt with). (6) Pan American Union. Division of Law and Treaties. *A Statement of the Laws of* — (here follows the name of the country dealt with) in *Matters Affecting Business*.

Realizing the leading role of the United States in the encouragement of international trade, Harvard Law School has embarked in the period following World War II on an ambitious program of international legal studies, conceived as teaching and research seeking a professional solution of legal problems involved in the foreign affairs of the United States of a public and private nature and concerned with the improvement of the leadership of the bar in these fields. Twelve faculty members are engaged in this program, partly with the aid of Ford Foundation grants. One of the subjects of investigation has resulted in the publication of the first three volumes of the World Tax Series, dealing with the tax systems of the United Kingdom, Brazil and Mexico, and future volumes dealing with the tax systems of other countries are in preparation or the planning stage. According to the publisher's announcement, the first three volumes "are the first product of a most ambitious long-range program, made possible only through the close and cordial co-operation of the Secretariat of the United

On foreign development banks: Diamond, *Development Banks* (1957).

On foreign exchange regulations: BNA, *Import and Exchange Controls* (listed above).

On oil law: Palmer Publications, *World Petroleum Legislation* (looseleaf).

On taxation: (1) Diamond, *Foreign Tax and Trade Briefs* (looseleaf). (2) Foreign Tax Law Association, looseleaf income tax services for more than 50 foreign countries or jurisdictions. (3) *Foreign Tax Law Weekly Bulletin*. (4) Great Britain. Board of Inland Revenue. *Income Taxes in the Commonwealth* (1951, kept up to date). (5) Great Britain. Board of Inland Revenue. *Income Taxes Outside the Commonwealth* (looseleaf).

Nations and Harvard Law School's International Program in Taxation. . . . More than sixty international corporations considered the proposed studies of such importance to their operations that they made financially possible the establishment of the World Tax Series."

The research for the compilation of this series is done by a professional staff at Harvard Law School in co-operation with United Nations agencies and with the aid and advice of recognized tax experts in the countries involved.

Significance of the subject matter and assurance of outstanding workmanship, however, do not suffice to justify this series. Is it needed in the face of the rich and already extensive literature on foreign tax laws which is available in English? Does this series fill a previously existing void? How does this series compare with the existing literature? Why is it necessary to restate the law of English-speaking countries in this series?

These questions are easy to answer. The editors have primarily in mind to give tax experts that background which is required in order to understand complicated problems of foreign taxation prior to obtaining counsel in the foreign countries. Frequently, the greatest difficulty in foreign law research is not how to find the foreign law, but to understand it properly in its context and local application. For these purposes, the text of foreign tax laws and regulations is insufficient and a systematic treatise is required. Another purpose of the editors is to provide teachers of taxation with materials useful for comparative

analysis and to provide background knowledge to international negotiators. For these purposes, the chapters dealing with foreign tax problems which are removed from the investment field (e.g., succession taxes) are particularly helpful.

The volumes published to date follow a common pattern of arrangement. Part I deals with a description of the tax system and tax administration of the country involved, Part II is an analysis of income taxes, and Part III is an analysis of other taxes.

Presumably, the volumes will be kept up to date with pocket supplements. For the United Kingdom volume, one pocket supplement has already been issued.

As the volumes are primarily intended to give general information inviting in cases of necessity further research, the bibliographies are of particular importance. From practical experience, I am inclined to feel that bibliographies as found in the three volumes at hand are not as useful as they could be. Rather than list specialized and general background materials without annotations, in a sequence which does not indicate evaluation, it would be advisable to provide an introductory essay on the literature involved and the various methods of technical approach to this literature. The authors should not hesitate to refer to digests such as Chavez Hayhoe's *Prontuario de Ejecutorias* (which, e.g., lists Mexican Supreme Court decisions which are not published in the *Semanario Judicial de la Federación*) or Martinez Lopez' *Prontuario de Derecho Fiscal Federal* (which, in fact, is not only an index

but contains also some essays). Similarly, more or less popular English publications on income taxation might well be listed. In the Brazilian volume, the bibliography shows considerable gaps. Another omission in the volumes on Mexican and Brazilian law is that the legal sources concerning taxation of the political subdivisions do not seem to be covered satisfactorily.

These defects do not mar the excellent overall impression which this series makes. A wide market should be assured to it.

WILLIAM B. STERN

Los Angeles County Law Library

Law Books in Print, edited and compiled by J. Myron Jacobstein and Meira G. Pimsleur. South Hackensack, N. J.: Glanville Publishers, 1957. Pp. 384. \$25.00.

The publication of this volume is an important bibliographical event for the law library profession. This book will supply a long felt need as indicated by the many statements and reports which have been made at the annual meetings of the American Association of Law Libraries. No law library in this country or abroad should be without a copy.

This book will of course be a useful tool for the ordering of treatises, containing as it does the most complete bibliographical information, including that of price, on law books to be found anywhere. The real value of this book to the acquisition section, as well as perhaps to the cataloging section, of the law library may be further indicated by pointing out that we have here one of the few places outside of the *Cumulative Book In-*

dex that gives us the full name of the author and the full title of the book. This feature is important to law libraries because CBI does not list many law books and the catalogs of law publishers give only brief author and title information.

As important as this publication will be in the acquisition of legal publications, it will perhaps be of almost equal value to the reference section of the law library. We can be most grateful to the publishers for having included in the single alphabet a subject list of law books in print. Those librarians familiar with the Bowker publication, *Books in Print*, will realize what an advantage it is to have a subject index in the book under review at its initial appearance. *Books in Print*, published for many years, has just recently issued its first subject index in a separate volume.

Because of its subject lists, this publication will be valuable to all law libraries regardless of size. To the small law library it will be invaluable in planning the acquisition of materials in a given subject or area which had not been developed heretofore. To the large library having most of these volumes in the library, this volume will be a very quick means of ascertaining the recent publications in any given subject. Any library will from time to time certainly discover some item of value which had been overlooked or not considered of sufficient value at the time of publication.

One would of course expect to find subdivisions in the subject lists and of particular value is the one for "Bibliography." To the reference librarian this should be useful when one considers how often requests for such pub-

lications are received. We note in passing that in this connection we came across one of the few errors that has caught our eye. On page 74 the excellent bibliography on foreign and comparative law by Charles Szladits has not been listed under the subdivision but included with the regular texts.

Mention must be made of the number of ways in which any book could be located. While complete bibliographical information is found under author, any volume could be located also under joint author, editor, compiler, translator, title, series, as well as the subject. Under titles, only a brief description is given, but publisher, date, pagination and price are given under this and all other forms of the entry. One other note should be made here and that is under each series entry will be found a complete list of publications still in print and of legal interest.

Attention should be directed to the very fine list of "Publishers and Distributors" at the end of the volume as well as the "List of Series." The former list gives the full name and address, while the latter gives the full name of the series, the publisher and the place of publication.

Because of the publishers' appreciation of the librarian's concern with the use of good paper, binding and printing so that a book will be easy to use, to read and to handle, we have here a fine production job. The type for subject headings is in bold capitals and easy to catch while the type for the other entries as well as the bibliographical information is clear, readable and well spaced. The wide margins are especially welcome and

the book is well bound and attractive.

An excellent piece of work has been produced and we can thank the publishers for having obtained the services of two such competent editors. Myron Jacobstein is the assistant librarian and Mrs. Pimsleur the order librarian, both at Columbia Law Library. Mrs. Pimsleur is particularly qualified for this work, having been responsible for much of the bibliographical work and lists in *Effective Legal Research* by Price and Bitner. A difficult and painstaking job has been well executed.

To the publishers, Philip Cohen and Fred Rothman, must go a good deal of credit for the excellence of this work. Their combined background and experience in law libraries undoubtedly was of considerable assistance in producing this very worthwhile bibliographical tool. We look forward to the long life of this volume by supplements issued regularly and promptly.

To all connected with this production the law librarians owe a debt of gratitude for having, as so well put by Lord Coke, "broken the ice, and out of (their) owne industry and observation framed this high and honourable building. . . ."

HARRY BITNER

Yale Law School

Legal Foundations of Capitalism, by John R. Commons. Madison: University of Wisconsin Press, 1957. (First published by Macmillan, 1924) Pp. 388. \$6.00. (Paper, \$1.95)

When this book first appeared in 1924 it had disparate reviews. Mitchell regarded it as "one of the largest contributions made in this genera-

tion toward the construction of an economic theory that really illuminates the behavior of men,"¹ while Sharfman found it "bewildering," "obscure," and "frequently . . . irrelevant" to its stated purpose.² To a degree both were right. The book constitutes a major contribution to law and to economics, but a fair share of it is indeed obscure.³

The origins of the book are important to an understanding of it. The author wrote that he first came to the study of "legal rights and social relations" through his experience in writing, administering and seeing the judicial fate of social legislation. This experience impressed on him the lack of correspondence between the value theory of received economics and the principles of judicial valuation with which he was confronted. On the other hand, intensive case-by-case study of common law decisions, undertaken to learn how to write laws that would receive judicial sanction, led him to conclude that much accepted legal theory was inconsistent with the facts of social and economic history. A good deal of this book is an effort to reconcile and overcome these inconsistencies between economics, law and history, and the consequent interdisciplinary approach no doubt accounts for much of its permanent interest.

From Commons' historical view,

1. Wesley C. Mitchell, *Commons on the Legal Foundations of Capitalism*, 14 *AMER. ECONOMIC REV.* 253 (1924).

2. I. L. Sharfman, *Commons's Legal Foundations of Capitalism*, 39 *QUARTERLY JOURNAL OF ECONOMICS* 303 (1925).

3. For a first exploration, Mitchell's review article, cited above, is recommended as a most useful and stimulating guide.

the distinguishing feature of capitalism was "production for the use of others, and acquisition for the use of self." (p. 21) Such a system works by *transactions*, and transactions generate conflict. To find or establish rules that will prevent conflict is the function of the *court*. Hence, he argues, the participants in economic transactions include not only buyer and seller, but also the judge, who directly or indirectly shapes the terms of every exchange, defines the limits of enforceable contract, and defines and protects the property rights of participants. These legal aspects of transactions cannot be taken as constants (as most economic theory does) because their very nature implies change and modification of market forces.

Moreover, says Commons, the legal theorist's view of human will as free if uncoerced by the opposite party to a transaction is economically deficient: If the available alternatives to making the exchange are good and desirable, then and only then is free choice meaningful. Therefore analysis of transactions should include—besides the buyer, the seller and the judge—the nearest available alternative buyer and seller, *i.e.*, those who personify the limits of meaningful choice.

These views were somewhat less widely accepted thirty years ago than they are today; now economists explicitly analyze the *imperfections* of competition, and the *Jones-Laughlin* decision is well settled in labor law. Somewhat similarly, Commons' examination of the common law defining intangible business property is now commonplace, as it was not in 1924. He studied in detail the Supreme

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Court cases of the last quarter of the nineteenth century, which brought under constitutional protection the value and property right aspects of *doing business* (goodwill and franchise) as against the *physical* property side. The evolution of legal protection of the "going concern" value, as Commons saw, is a matter close to the heart of capitalism. He found the sources of common law protection of property in the "business revolution of the 17th century," and behind that the effort of freemen to protect their means of livelihood against the arbitrary power of the crown. The basis of common law was participation in shaping legal "working rules" *by the governed*.

A detailed examination of these working rules, entitled "Transactions," contains some of Commons' severest criticisms of the "natural rights" legal philosophy of economic individualism. Because the intellectual currents of the eighteenth century based all development on rational individual will, he says, jurists and economists of that period reversed "both the historical and the causal sequence" of working rule development. In point of fact, the *collective* rules which limited individual action came first; only much later did the successful assertion of individual claims appear. Progressing from the evolution of working rules to the going concerns which make them operative, he recasts accepted theory of the legal basis of corporations. The notion that such "legal persons" exist "in contemplation of law," *i.e.*, by virtue of their charter, does not square with facts. Commons maintains that

the essential element of a viable corporation (or of any association) is the expectation and will of its members; the charter merely permits these wills to be expressed and the expectations to be realized. Hence the value of such going concerns lies in the expected future net income which their owners hope to receive. But economists' explanations run in terms of either past effort (labor time) or present desire (subjective utility); a third dimension, "futuraity," is needed.

For the economic or legal historian the most stimulating parts of the work are the treatment of the common law of rent, price, wage, and public purpose, in which the bargaining element of all transactions is clarified. Each category is analyzed in the light of historical economic and social relations out of which the appropriate concepts of property evolved. There is hardly a page which does not offer fresh insight into economic and legal problems. That this is still so, thirty-three years after the book was written, suggests the rare—even unique—qualities of its author as investigator, participant and student of a broad range of economic activity.

Taken as a whole, the book is both less and more than the title suggests; it falls short of the implied systematic treatment of all the legal institutions on which capitalism rests, yet it illuminates much more economic history, juridical methodology, and institutional evolution than one might expect. The inquisitive mind of Commons flickers like a lighthouse on the horizon, giving direction and bearing to those who would venture far from well-known shores, though hardly il-

luminating the details of their way. His analysis covers those "legal foundations" which related to the problems that had confronted him. In proportion as the problems were basic, his analysis ran to fundamentals, but only so far.

The work is almost *sui generis*: It inspires admiration but not emulation. In part this is because no one since Commons has combined his breadth of expertise with his intellectual energy and curiosity. But just as relevant, certainly, is the fact that the intervening third of a century has seen drastic change in the areas he an-

alyzed. The courts and common law precedent have much less power now than they did then to nullify legislative intent, and while this may be dangerous for civil liberties (as Justice Douglas maintains) it has made possible far more rapid development in social and labor legislation than seemed feasible in 1924. No small part of that progress can be traced to the work of John R. Commons, and to the ideas expressed in this book.

JOHN THORKELSON

Dept. of Economics
University of Connecticut

NEW BOOKS APPRAISED

Cam, Helen M., ed. *Selected Historical Essays of F. W. Maitland*. Cambridge [Eng.]: University Press, 1957. Pp. 278. \$5.00.

Miss Cam has brought together 13 essays by Maitland which before were available only in scattered sources. Several of these essays appeared in Maitland's *Collected Papers*, published in 1911 and now out of print; others were only to be found in the historical reviews, or in such places as *The Athenaeum* and *The Encyclopaedia Britannica*. Miss Cam's excuse for this regrouping and fresh presentation is "to render more accessible those shorter writings of Maitland's which have the greatest intrinsic value for students of history and best illustrate his distinctive qualities."

It must be admitted that many of these essays do not have an immediately apparent interest for the lawyer. "The History of a Cambridgeshire Manor," "Introduction to Memoranda de Parlamento," "The Anglican Settlement and the Scottish Reformation" are not, these days, the law student's bread and butter or even his caviar. But there is a core here of

three essays which beautifully display the range of Maitland's great encompassment of the history and spirit of the common law. His brilliant tour de force, *The History of English Law*, which he wrote for the *Encyclopaedia Britannica* is here; so too is "English Law, 1307-1600" (formerly to be found only in the *Collected Papers*) and "English Law and the Renaissance" (formerly in *Anglo-American Legal Essays*). The juxtaposition of these essays is enough to make this book welcome in a law library. And it would be foolish to ignore the more subtle profit which can be drawn from the essays which have seemingly only a technical interest for the historian. For the incomprehensibility of English history without a grasp of the nature of the common-law mind and the paucity of our understanding of the common law without a grasp of English history were themes which Maitland never deserted and which in these essays he never fails to illuminate.

The book has a most valuable introduction by Miss Cam.

GRAHAM HUGHES

Yale Law School

Carpenter, William Seal. *Foundations of Modern Jurisprudence*. New York: Appleton-Century-Crofts, 1958. Pp. 230. \$3.25.

There is no doubt about the fact that the rich heritage in political and legal philosophy can be of tremendous value in obtaining an understanding of present day law and procedures. Such statements have led to the justification of any number of books on jurisprudence. Author Carpenter's volume represents an attempt to acquaint the undergraduate with the nature and development of legal institutions; however, the book, concise and well-organized as it is, falls short of what has been done better, time and time again.

Whether or not an undergraduate college library should buy this book depends on the size of the library's budget; surely, no law library need spend any money on this volume.

RICHARD A. HAUSLER

University of Miami
School of Law

Daggett, Harriet S., ed. *Fifth Annual Institute on Mineral Law*. Baton Rouge: Louisiana State University Press, 1957. Pp. 182. \$7.50.

There are three mineral law institutes whose papers are regularly published. The other two are the Southwestern Legal Foundation *Institute on Oil and Gas Law and Taxation* and the *Rocky Mountain Mineral Law Institute*. The Louisiana product differs from the other two by devoting a fair amount of attention to Louisiana oil and gas law. Since much of Louisiana mineral law is unique, specialized treatment in this fashion is well justified. There is also a good sprinkling of papers of general interest. Some of the papers have also appeared in law reviews. All of the authors are carefully chosen for their competence in mineral law or because of their experience as practitioners, writers, teachers or specialists in an allied field such as taxation.

The current volume was edited by Professor Harriet S. Daggett of the Louisi-

ana State University Law School, which sponsors the Institute as part of its program of continuing legal education. An able scholar of mineral and property law, Professor Daggett has served as Director of the Institute from its beginning and the publication of the first volume in 1953. The current volume consists of nine papers on such subjects as financing oil and gas interests, curative statutes in land title examination in Louisiana, income tax consequences of leases and sales of mineral interests, Louisiana's title in the Gulf of Mexico, well spacing, surveys of Federal and Louisiana decisions and Louisiana conservation developments for 1956.

Originally, the first three volumes of the Institute appeared in paper covers, but now all are available cloth bound. Indexing has improved with the 1956 volume. The first two volumes do not contain any indexes but do have short biographical sketches of the speakers. The third volume shortened the biographies and shifted them as footnotes to the appropriate papers in favor of tables of cases and Louisiana statutes. A subject index and table of books and articles have been added with the fourth volume in 1956 and these apparently are to be regular features.

For libraries where every penny must be pinched, the other two institute publications listed in the first paragraph might be preferred for their somewhat more general coverage. However, if a well rounded working collection on oil and gas law is desired, then all of the Louisiana volumes should be acquired.

MORTIMER SCHWARTZ

University of Oklahoma
College of Law

Darrow, Clarence. *Attorney for the Damned*, edited by Arthur Weinberg. New York: Simon & Schuster, 1957. Pp. 552. \$6.50.

Clarence Darrow may not have known the law as well as Rufus Choate, nor been as impressive as Daniel Webster but, on performance alone, one must accord him

the accolade of being the Babe Ruth of the law—how he could slam homeruns into the jury box. Whether this was due to the luxury of being able to select his own cases, his ability to make each case a part of the fiber of his life, or his talent to sway a jury is for the reader to determine from this array of addresses to judges, juries and assemblies.

There are those who will cringe at Darrow's views on crime, religion and government but none will deny his appeals to juries were masterful. His inquisitive mind ranged the humanities, he would subtly impress with his facts and, with sarcasm, introduce his opponents arguments as a blend of opportunism and sadism; he would be at once the juror's equal and his teacher. Without reflecting on the guilt or innocence of Darrow's clients, it is safe to say that in the prejudiced atmosphere in which many of these trials took place their fate would have been less secure without his services.

This selection leans heavily to the more dramatic and sensational cases of Mr. Darrow—Leopold-Loeb, the *Scopes* case, the Communist trial in Chicago, etc. The sources are itemized and an adequate bibliography is included as well as a good index. The selections are usually preceded and followed by a quick summary of the events leading to the case and following it.

The growing conviction that law libraries which dwell too much on upper court opinions and too little on the flesh and blood of the law—the trial—suggests that no law library of any pretensions can be complete without books such as this one.

EDWARD J. BANDER

U. S. Court of Appeals Library, Boston

David, Paul T. and Pollock, Ross. *Executives for Government: Central Issues of Federal Personnel Administration*. Washington, D. C.: Brookings, 1957. Pp. 186. \$1.50.

Written primarily for federal officials engaged in personnel administration and for advanced students of the subject, this book will also interest lawyers, who are

frequently called upon to serve the Government in executive capacities. The Hoover Commission proposals for a "Senior Civil Service" and an analysis of the general problem with alternative courses of action are discussed by these two experts in the field. Mr. David, a co-author of the Brownlow Committee Report in 1937, has written extensively on the subject and has served the Government in various capacities since that time, while Mr. Pollock, who has been with the United States Civil Service Commission since 1942, is now Chief of its Career Development Program. The book will prove valuable for those concerned with the problem of recruiting executives for the political and non-political positions by means of which the executive branch of the federal government is administered.

BERTHA M. ROTHE

George Washington University
School of Law

Deener, David R. *The United States Attorneys General and International Law*. The Hague: Martinus Nijhoff, 1957. Pp. 416. Glds. 26.50.

This book deserves a place in most law libraries. The first third of the volume contains an essay on the opinion function of the Department of Justice and is a valuable supplement to the material in Cummings and McFarland's *Federal Justice*. The remainder is in part a summary, in organized and connected form, of opinions of the Attorneys General on questions of international law. As such it constitutes an annotated guide to a hitherto relatively inaccessible body of interesting and valuable material.

Mr. Deener is a political scientist with a thesis. He is out to prove that on international law questions the Attorneys General have not always sought solely to find ways of supporting official policy. He demonstrates that on many occasions they have taken a judicial view of their function and have given opinions which disagree with the official positions they might have been expected to support. This proves to him that the "realist"

school of thought on world politics is frequently less of realism than of easy cynicism. His position is a reasonable one and is reasonably stated in readable, well-documented text.

The book contains an adequate index, a bibliography and is attractively printed and bound. It is, I suspect, an example of that class of scholarly work whose appeal is so limited that the potential market would not have justified a decent edition if it were published in the United States. The firm of Martinus Nijhoff has for some years taken such manuscripts and has performed an important service in publishing and distributing them in excellent editions at reasonable prices.

JOHN HENRY MERRYMAN

Stanford University
School of Law

Durán P., Manuel. *Bibliografía Jurídica Boliviana; 1825-1954*. Oruro, Editorial Universitaria, 1957. Pp. 256. Price ?

The lack of workable bibliographies on the law of most of the Latin American countries is one of the additional difficulties in reference and research in this area. Recently, two bibliographies have appeared, one on Uruguay (see 50 *L. Lib. J.* 170) and another on Mexico (see 50 *L. Lib. J.* 593). Here a third bibliography should be announced, this time on Bolivian law, which will implement the two bibliographies we already had, namely Child's *Guide to the Official Publications, Bolivia* (1943) and Clagett's *Guide to the Law and Legal Literature of Bolivia* (1947).

The new *Bibliografía* will surprise one by its unusual arrangement. It is divided into four parts: law, legislation, reports (jurisprudencia) and legal reforms. While the first part contains items in the nature of general texts and articles (including canon and Roman law, criminology and medical jurisprudence), the second part has items concerning statutory materials (also constitutions and treaties). The third part lists reports containing judicial and administrative decisions; part four offers materials on attempts to re-

form Bolivian law, among others, its constitutional, administrative, agrarian, civil, commercial and labor law.

Within these several chapters, items are arranged chronologically and subarranged alphabetically by title. An author's index at the end of the booklet will alleviate difficulties that are bound to arise. Some of the chapters are prefaced with a short introduction containing interesting historical data.

For libraries interested in Latin American law the *Bibliografía* will be a welcome addition to the presently scarce bibliographical sources.

S. A. BAYITCH

University of Miami
School of Law

Gerhart, Eugene C. *America's Advocate: Robert H. Jackson*. Indianapolis: Bobbs-Merrill, 1958. Pp. 545. \$7.50.

This is a sympathetic account of the life and career of Robert H. Jackson. The author, an attorney in Binghamton, N. Y., had access to the public and private papers of Justice Jackson. Interviews, stenographically recorded, took place between 1947 and 1954. Jackson is portrayed as the country lawyer and as America's advocate. An up-state New Yorker, Jackson began practicing after a year at Albany Law School. He went to Washington in 1934 as General Counsel of the Bureau of Internal Revenue. Gifted with an excellent legal mind, he quickly rose to be Solicitor General, Attorney General, and then Justice of the Supreme Court. He served there from 1941 to 1954, with a term's absence in Nürnberg. Gerhart's account is a readable, well documented biography of an important figure in recent American judicial history. There is an index and bibliography. Jackson's role as American prosecutor at the War Crimes Trial covers 150 pages. The controversy with Justice Black which arose from the appearance of Black's former associate in the *Jewell Ridge* case is detailed in 42 pages. The most dramatic incident was Jackson's ill-tempered cable from Nürnberg. The Chief Justiceship

was a complicating factor. Gerhart has explored Supreme Court history to find precedent. Because law reviews have digested and commented on Jackson's opinions, any critical analysis has been omitted from this book. This is an unfortunate lack from the point of view of law libraries. This biography would be useful in law school libraries and public law libraries; law firm libraries would find it of incidental value only.

JOHN W. HECKEL
Los Angeles County Law Library

Haines, Charles Grove and Sherwood, Foster H. *The Role of the Supreme Court In American Government and Politics, 1835-1864*. Berkeley: University of California Press, 1957. Pp. 553. \$7.50.

Professors Haines and Sherwood's work continues Professor Haines' earlier volume, *The Role of the Supreme Court in American Government and Politics, 1789-1835*. It is an equally impressive contribution to the study of American political science, government and law.

Apparently the authors have discussed every decision rendered by the Supreme Court from 1835-1864, as well as several significant undelivered opinions of Chief Justice Taney which relate to the classic executive-judicial power struggle between the Lincoln Administration and the Chief Justice during the Civil War. The range of this publication is remarkable; the authors have reviewed, in connection with the more notable decisions, the political posture of the Congress, relevant newspaper comment, private correspondence of the justices and, among other things, administrative responses, private and public, to the decisions.

It becomes immediately apparent to the reader that the authors' approach and organization of materials parallels¹ that of Charles Warren in his superb two volume work, *The Supreme Court in United*

States History (1926), particularly the second volume. However, the depth of study on individual cases varies considerably and the later contribution states, at the very least, the basic facts necessary to decision in connection with *each* case. Perhaps the last factor explains why the Warren writing style is so pleasant to the reader. Minutiae probably does inhibit readability in any context.

As a constitutional law teacher I particularly enjoyed Chapter VII which described the Court's development of techniques to settle state boundary disputes, Chapter X which analyzed the *Dred Scott* case and Chapter XIII which commented upon the contributions to constitutional law of the Taney Court. The significance of the authors' endeavor, it seems to me, reaches far beyond the narrow confines of constitutional law; law students, lawyers and informed laymen will experience several quiet pleasant hours in reading the exhaustive scholarship displayed in these pages.

CLIFFORD C. ALLOWAY
University of Miami
School of Law

Harding, Arthur L., ed. *The Administration of Justice in Retrospect*. Dallas: Southern Methodist University Press, 1957. Pp. 99. \$3.00.

This volume represents the fourth in a series of studies emerging from the annual Conferences on Law in Society and is edited by Arthur L. Harding, Professor of Law at Southern Methodist University. The topic for this particular study was inspired by Roscoe Pound's famous 1906 address on "The Causes of Popular Dissatisfaction with the Administration of Justice," which has been labeled by some as "the spark that kindled the white flame of high endeavor" in the administration of justice.

Pound was concerned with two principal areas, that of an underlying philosophy and that of an intensely practical legal procedure. Advances in these two areas in the half-century 1906-1956 have been significant and promising. Thus, in

1. The volume also competes, in part, with other standard treatises; e.g., RANDALL, *CONSTITUTIONAL PROBLEMS UNDER LINCOLN* (1951) and HOPKINS, *DRED SCOTT'S CASE* (1951).

the year of the fiftieth anniversary of the 1906 address, it is well that the Conference on Law in Society turned its attention to the experience, to the consequences of the movement initiated by Pound.

The discussion of that experience, of those consequences, is divided into several parts. Professor Harding re-creates the scene of the Pound address and summarizes the reaction and sequel to the challenge. Professor Jerome Hall inquires as to what has happened in American legal philosophy in the fifty years. Professor Sheldon D. Elliott recounts the ensuing improvements in judicial administration. Professor Horace E. Read analyzes the Canadian developments over the same period and Ambassador Fernando Fournier discusses the Latin-American advances in judicial administration.

Every law library in the United States should have at least one copy of this book. As a matter of fact, it is the most rewarding three-dollar investment that anyone can make today.

RICHARD A. HAUSLER

University of Miami
School of Law

Jennings, Ivor. *Constitutional Problems in Pakistan*. Cambridge [Eng.]: University Press, 1957. Pp. 378. \$7.50.

Once again Sir Ivor Jennings has produced a book from "the inside"; but this time it is highly specialized and will naturally appeal to a smaller and more academic circle. The first seventy-five pages contain an outstanding essay on the constitutional law and history of Pakistan; in outline from Independence in 1947 to the great constitutional crisis of 1954, and then in great detail for the next twelve months. The next three hundred pages reprint the leading constitutional cases decided between the dissolution of the Old Constituent Assembly in 1954, to the calling of the New in 1955.

Despite its narrow scope, the book has many important aspects. The constitutional crisis was more than a teething problem of a new state; it represented a

challenge to the flexibility of the English common law in adapting itself to the Federal constitutional system. No one knows for certain how far the precedents of these months will be applied in other common law systems, but certainly there is much in *Tamizuddin Khan's Case*, and in the *Special Reference*, which will be of universal application and import.

Any law library, having an interest in public law, would be unwise to ignore this combination of constitutional essay and case book; and certainly, if such libraries have no easy access to Pakistan materials, the book is essential.

ROBERT BOCKING STEVENS

Barrister at Law
Gray's Inn

Jennings, Ivor. *Problems of the New Commonwealth*. Durham: Duke University Press, 1958. Pp. 154. \$2.50.

The seventh in the excellent series of publications by the Duke University Commonwealth-Studies Center, this represents the lectures given in Durham last spring by Sir Ivor Jennings. The recent non-white additions to the Commonwealth comprise the New Commonwealth; and, in inviting Sir Ivor to discuss these countries, the Center asked one of the outstanding British experts in this sphere. Jennings was not only Vice-Chancellor (President) of the University of Ceylon, but was an architect of the Ceylanese constitution, a Constitutional Advisor to Pakistan, and a member of the Malayan Constitutional Commission. More recently, he has interspersed his Master-ship of Trinity Hall, Cambridge, with advising on constitutional problems in Ghana and Nigeria.

The book is concerned primarily with the four new Asian members—India, Pakistan, Ceylon and Malaya. The analysis of "Political Considerations," in the first chapter, gives an extraordinary insight into the birth of these nations, and after an excellent objective and comparative study of the problems encountered, the author offers an analysis of the ideal conditions for a transfer of power. His

second lecture, "Economic Considerations," again reflects a brilliant combination of experience and insight, for in a few pages Jennings is able to analyze the impact of western culture on the Asian life and economy, and from these premises, to expound clearly the present weaknesses and dangers in the economics of these new countries. Finally, under the heading "Nationalism and Racism", he provides a sound examination of the problem and myth of Asian Nationalism.

For its modest price, this book is an excellent investment. Not only should it be in every library, but it should be read by everyone who has ever felt that he does not fully understand the meaning and approach of the New Commonwealth—and that must include almost everyone reading this note. Even if this little book does not give the answer to every question, there will be few who will read it and not have a better understanding of the problems.

ROBERT BOCKING STEVENS

Barrister at Law
Gray's Inn

Levin, Meyer. *Compulsion*. N. Y.: Simon & Schuster, 1956. Pp. 495. \$5.00. (Paper, \$0.75)

McKernan, Maureen, ed. *Amazing Crime and Trial of Leopold and Loeb*. N. Y.: New American Library of World Literature, 1957. Pp. 300. \$0.50. (paper)

Many events conspire to make these two books of more than current interest. First, the crime related was heinous; second, one of the slayers is being freed on parole; third, the centennial of Clarence Darrow, attorney for the defense, is being celebrated; and lastly, they are worthwhile, educating books.

The McKernan book is a factual summation of the crime committed, the boys who did it, the most extensive psychiatric examination of warped minds ever presented to a court, and lastly it records the battle of Goliaths—Darrow against the State of Illinois. Few novels could stir the emotions as this sober account of the crime of our century. The book is a paper-

back reprint of a 1924 edition, including illustrations.

Mr. Levin has but changed the names and selected his facts to retell a like crime. The accent is heavily on the psychological aspects of the case—in fact it reviews the life of two pampered boys in the light of present day knowledge of the mind. Only enough fiction is inserted (there is no camouflage of who and what he is writing about) to give this book continuity and the author an opportunity to show kindness and understanding for two teen-agers whose greatest crime was depriving humanity of their great natural abilities.

Both books demonstrate the need for law and science to have a meeting of the minds. The vitriol heaped by Darrow on a defense alienist and the D. A.'s ridiculing of the "three wise men from the East" make it evident that two elements are as necessary today as they were in 1924 for the improvement of law enforcement: (1) that impartial medical testimony can do much to make medical men seem less like medicine men, and (2) that every prosecutor have some rudimentary knowledge of psychiatric goals so that he does not see in the Freudian scheme of things a plot to deny him a conviction.

Of the two, the McKernan book is the more valuable for the law school library. It contains the genesis of a crime from conviction to guilt. Included are the summations of Darrow and District Attorney Crowe, both of which are masterful presentations when viewed in the light of what each sought to accomplish.

EDWARD H. BANDER

U. S. Court of Appeals Library, Boston

Loss, Louis and Cowett, Edward M. *Blue Sky Law*. Boston: Little, Brown, 1958. Pp. 503. \$15.00.

This text on state securities regulation constitutes a significant contribution to a specialized field of law and should be warmly received by all "blue sky" attorneys.

Authored by Louis Loss, a recognized authority on securities regulation, and his

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administrative assistant, Edward Cowett, this book is no less practical in approach than readable throughout. *Blue Sky Law* is the first book of its kind; that fact alone spells real value to the securities attorney, for to date there has not been collected in one place a study of securities regulation in the several states.

The volume's coverage consists of an introduction to the Blue Sky laws; the technique of registering securities for public sale; civil liability provisions of the many jurisdictions; conflict of laws and related problems in the securities field; uniformity and federal-state coordination. Under this last topic the authors present a clear picture of the Uniform Securities Act; this legislation was drafted by the authors at the request of the National Conference of Commissioners on Uniform State Laws. At this writing six jurisdictions have adopted the Act substantially as it was drafted; four other jurisdictions have adopted some parts of the Act.

The volume contains a complete table of cases on securities regulation in all states as well as a thorough index of topics covered. In addition, there is a comprehensive bibliography of blue sky literature in each jurisdiction.

The main value in this book lies in the fact that it will serve as a ready reference and guide to the attorney who prepares a securities issue for market. Such a preparation is no easy task today when "blue sky" an issue requires a working knowledge of not only the Securities Act of 1933 but of many state acts as well. *Blue Sky Law* should thus be a welcome addition to all law libraries.

HUGH L. SOWARDS

University of Miami
School of Law

Lowenstein, Edith. *The Alien and the Immigration Law*. New York: Oceana Publications, 1958. Pp. 400. \$7.50.

This publication presents a report on 1446 immigration and naturalization cases handled by the Common Council for American Unity since 1953, that is, after the new Immigration and Nationality Act

of 1952 came into force. The report makes no claim that "these cases are a complete cross-section (and) that they represent all the problems that arise." (Foreword p. v) Nevertheless, they cover a wide variety of situations arranged under headings of immigration, status, deportation, naturalization and nationality. In each case the issues are indicated as well as the decision by judicial or administrative authority, if any. The Appendix contains a parallel chart of the Act and 8 U. S. C.; it also offers a list of cases, publications and statutes referred to in the book.

The publication represents a useful report on the Immigration and Nationality Act in action seen through the activities of a legal aid type of society.

S. A. BAYITCH

University of Miami
School of Law

MacGregor, Geddes. *The Tichborne Imposter*. Philadelphia: J. B. Lippincott, 1957. Pp. 288. \$3.95.

In the seventy-five years following the celebrated trial of the "Tichborne imposter," few notable volumes have been published concerning the trial and its main character. However, 1957 saw the publication of three volumes which may be of interest to law libraries. All three volumes were apparently written unbeknownst to the authors that contemporary volumes were to be published.¹

Arthur Orton, "the Tichborne imposter," has the dubious honor of having been the defendant in one of the lengthiest civil and criminal trials in English legal history. The civil action, in ejectment, was brought against him on May 10, 1871, and ended March 5, 1872; the criminal action for perjury began April 23, 1872, and came to a verdict February 28, 1874. Orton, about 1865, with a background reminiscent of a "Dead-End Kid," began one of the most incredible impos-

1. The other two volumes are DOUGLAS WOODRUFF, *THE TICHBORNE CLAIMANT, A VICTORIAN MYSTERY* (New York: Farrar, Straus and Cudahy, 1957. 479p. \$4.75) and M. F. GILBERT, *THE CLAIMANT* (London: Constable, 1957. 224p. 18s. 6d.)

tures of recent times. He had little education, less upbringing, and physically was twice the size of the real heir to the Tichborne estate. Orton was able to put up a front, often ridiculous, that convinced a large segment of the public, of high society, and government officials of his right to the Tichborne estates. It would seem that with all his drawbacks of mind and stature, the imposter had an uncanny flair for often doing and saying the right things at the most opportune moments. Unfortunately, this flair exposed him for what he was—an illiterate, audacious and often vicious charlatan. His concentration was inadequate for the part he chose to play. He was inconsistent and did not understand why others should worry about his vacillations, his irresponsibility and indifference. His moments of lucidity and reality suggest the need of competent psychiatric treatment.

The real tragedy was the disappointment of the Dowager Lady Tichborne, the disillusionment of Orton's supporters, the severe drain upon the family estate, and the disgrace of Orton's legal counsel. Once convicted, Orton's cause began the usual decline of all such public circuses. There was some continued support which, nonetheless, had faded to the point where upon his release from jail ten and one-half years later, "Sir Roger" had sunk to obscurity; a cricket match had much more popular appeal.

MacGregor writes in an easy and thorough style that is very readable and interesting. His sources are included within the body of the book which is sparsely footnoted. A bibliography should have been included, especially since not too much has been written on this particular subject; there isn't any index. The author apparently did a lot of research on the case and the book will evoke much interest in some quarters. Physically, the format of the book is excellent, with readable type and good paper; more illustrations, if available, would have added to the interest of the book.

The Woodruff book is by far the most exhaustive and perhaps more authorita-

tive than either Mr. MacGregor's or Mr. Gilbert's. However, the latter two are much more readable and realistic books in the sense that the authors readily admit that Arthur Orton was, without doubt, a most unscrupulous character. Gilbert's *The Claimant* is different from the Woodruff book in that it is mostly an outline of the trials. Its briefness is reminiscent of the MacGregor work in length and conclusion in that it is small, very readable, and does not hedge as to who the claimant really was. Gilbert adds interest by including some materials on other cases of impersonations. Woodruff, after the great amount of research and documentation that went into his work, ends his study of the case with this statement:

The great doubt still hangs suspended. Probably forever now, its key long since lost amid the irresponsible lawlessness, deception, and transient aliases, and the homicides, of the mid-Victorian Australia bush, a mystery remains; and the strange enigma of the man who lost himself still walks in history with no other name than that which the common voice of his day accorded him: the Claimant.

To Woodruff the case will ever remain an unsolved mystery. MacGregor, Gilbert, and earlier, Atlay (1899) and Maugham (1936); hadn't any doubts when they summed up the evidence: the claimant was only Arthur Orton the son of a Wapping butcher.

This is a type of book which a law library having a large collection of trial materials or a special collection of English materials should have on its shelves. It is certainly most unusual for interested readers to have three volumes on one spectacular case, all published in one year, to choose from. It would be of interest to learn which received the greater use; at any rate all three shall have something to add to any future research and comparisons.

STANLEY J. BOUGAS

Emory University
School of Law

Marke, Julius J., ed. *Deans' List of Recommended Reading for Pre-law and Law Students*, selected by the Deans and Faculties of American Law Schools. New York: Oceana Publications, 1958. Pp. 178. \$3.50. (Docket Series vol. 11)

This book is the school law librarian's answer to the perennial about-to-enter-law-school gentleman who appears at the circulation desk in mid-July, announces that he is bent on preparatory reading and asks to borrow *Blackstone's Commentaries*. More often it will be useful to the browsing law student or lawyer and the undergraduate counsellor.

Deans and Law Librarians who have cherished their own lists of recommended reading and who cooperated with the compiler can substitute this one without loss of identity, for symbols following each title mark the Dean or Deans (School or Schools) recommending it.

Asterisks mark the titles suitable for pre-law reading, thus protecting the pre-law student from wading over his head, while offering a wide choice for the more experienced reader. The length of the list (694 titles) might overwhelm an intended user but for the local recommendation symbols, the classified arrangement and the descriptive annotations. These make his task of selection easier and more purposeful than did most of the individual lists upon which the compilation is based.

Its usefulness as a book selection aid is not confined to school law libraries or to large libraries; the more selective the collateral reading collection must be, the more valuable the *Deans' List* as a guide. And as a persuader, what library committee or board will be able to resist purchase of a book recommended by 29 law school deans?

MARIAN G. GALLAGHER

University of Washington
School of Law

Mayer, Milton, ed. *The Tradition of Freedom*. New York: Oceana Publications, 1957. Pp. 766. \$7.50.

This volume, edited for the Fund for

the Republic, is the first of a new series, The Docket Classics, published by Oceana Publications. As projected, the series will include basic source materials and studies of public institutions and foundations dedicated to the examination of classic concepts of American democracy.

The Tradition of Freedom had its beginnings in a survey of freedom and justice in modern America by the Fund for the Republic. The identification of the concepts inherent in the study was expanded beyond a restatement of the ideas of the Founding Fathers to include the "thoughts of the wisest men of the past"—concepts which influenced the formation of our republic and those which were framed by the Founders. This collection of ideas, which formed the structure of this book, was viewed as basic to the primary purpose of relating freedom and justice to contemporary American institutions.

The writings include judicious selections from Montesquieu's *The Spirit of Laws*, Locke's *Second Treatise* and his *Essay Concerning Human Understanding*, Adam Smith's *Wealth of Nations*, *The Federalist*, and John Stuart Mill's *Essay on Liberty* and his *Representative Government*.

The book opens with John Milton's *Areopagitica*, an essay on freedom of the press. A concluding chapter is devoted to selections from *The Great Ideas*, which summarize the thoughts of Greek philosophers, Hegel, Kant, Aquinas and others, while interstitially projecting a medieval viewpoint.

The final section covers the text of significant recent United States Supreme Court decisions on human rights—the desegregation case and the *Jencks*, *Sweezy*, *Watkins* and *Yates* opinions. In the absence of editorial explanation, the reader is left to speculate on the reasons for this narrow coverage to the exclusion of such ideologically important opinions as those of Holmes and Brandeis in *Schenck v. United States* and *Whitney v. California*.

Another point of departure between the editor and the reviewer relates to the

inclusion of selections from Adam Smith's *Wealth of Nations*. Although the historical and theoretical importance of Smith's *laissez faire* philosophy as a natural economic law is recognized, its value as a current device for identifying freedom in a modern setting of gigantic corporations and labor unions seems so minimal as to border on the esoteric.

In its totality, the book achieves its objective and fashions a stable mooring for freedom in America. Since ideas form the framework of any society, the volume should serve effectively to articulate the principles of freedom which are basic to our democracy.

Recommended for law school libraries, and libraries, with cultural collections, used by practitioners.

ERVIN H. POLLACK

Ohio State University
College of Law

Perry, J. W. and Kent, Allen. *Documentation and Information Retrieval: An Introduction to Basic Principles and Cost Analysis*. New York: The Press of Western Reserve University jointly with Interscience Publishers, 1957. Pp. 156. \$5.00.

All of us are concerned with information retrieval and any system that would improve the present state of the art. This book is a basic, but tentative, contribution to the literature on the subject. Chapter II utilizes a mathematical model for defining and presenting basic principles. Chapter V uses a mathematical model to compare several systems.

Chapter IV, which is an analysis of cost factors, constitutes over half the book.

The book is technical even though "the derivation of the various equations assumes no mathematical knowledge beyond the undergraduate engineering level." In all probability, the equations used therein would have to be adjusted for variables and revalidated before they could be applied to any particular system.

VINCENT E. FIORDALISI

Rutgers University
School of Law

Pocock, J. G. A. *The Ancient Constitution and the Feudal Law*. Cambridge, [Eng.]: Cambridge University Press, 1957. Pp. 261. \$5.50.

Mr. Pocock, a Research Fellow of St. John's College, Cambridge, has produced an invaluable treatment of a theme on which too little has been written. He discusses the seventeenth century clash of two rival attitudes to the development of English government. On the one hand we find the view that the constitutional status of Parliament and the common law were rooted in immemorial origins which put them outside the range of a monarch's power, and, opposing this, there was the emerging historical awareness that English governmental institutions, like those of her continental neighbors, were the product of easily discoverable feudal patterns. The second view was historically correct, but the first, though mistaken, was of colossal political significance. For legal readers the consuming interest of Mr. Pocock's book is his demonstration that it was the mind and mood of the common law and the common lawyers which were responsible for the currency and force of this myth of the ancient constitution. He shows how such an approach was intellectually impossible for continental nations with their quite different legal backgrounds. This richness of legal experience allowed a school of historical jurisprudence to develop in France and Italy of marvellous sophistication compared with the naïveté of their contemporaries in England. But the paucity of experience and dearth of information possessed by writers such as Coke enabled them to forge a pervasive and victorious polemic of the origins of English government, strong enough to secure the Revolution of 1688 and to set England on a path which she has never since left.

Apart from the broad interest of his general theme, Mr. Pocock's book contains the best available treatment of the growth of the early schools of historical jurisprudence in Europe.

GRAHAM HUGHES

Yale Law School

Reznikoff, Charles, ed. *Louis Marshall, Champion of Liberty*. Philadelphia: The Jewish Publication Society of America, 1957. 2v. \$10.00.

When Louis Marshall died in 1929 at the age of 73, he was characterized by Justice Benjamin N. Cardozo as "a great lawyer; a great champion of ordered liberty; a great leader of his people; a great lover of mankind."

This handsome set collects Marshall's letters on public and communal affairs, some of his more important speeches and extracts from his appeal briefs and memoranda of law which are still significant today. The period covered runs generally from 1900 to 1929.

Marshall was mainly an appellate lawyer although he also had a large corporate practice. He appeared in more cases in the U. S. Supreme Court, according to the record, than any other attorney, except perhaps for the representatives of the Government. He is particularly noted for the role he played in the *Leo Frank* case.¹ In reviewing the role of the mob lynch mood at the time of the trial, he argued that due process under the fourteenth amendment involved "not merely a right to be heard before a court, but that it must be before a court that is not paralyzed by mob domination." Although the Supreme Court refused to accept his reasoning, Justice Holmes and Hughes dissented. It is interesting to note that Holmes' dissent became the basis of his majority opinion in *Moore v. Dempsey*.²

Marshall was a conservative, deeply interested in states' rights and civil liberties. His letters and papers reflect his intense and sincere concern with the protection of minority rights and fear of the ultimate effect of the extension of federal government power in its public welfare programs. His fear of governmental restriction of human liberties was such that he even objected to the extension of the power of the state governments in matters such as minimum wages, workingmen's compensation, and regulation of prices and rents.

1. *Frank v. Mangum*, 237 U. S. 309 (1915).

2. 261 U. S. 86 (1923).

Oscar Handlin's introduction expertly epitomizes Marshall's contribution and evaluates his personality and character. The two volume set is well designed and the editorial work of Mr. Reznikoff is excellent; adequate notes prepare the reader for the collected materials and the index is good.

The set should be considered for purchase by large libraries and particularly law school libraries. It adds much original source material, hitherto unavailable, for the period covered.

JULIUS J. MARKE

New York University
School of Law

Schwartz, Bernard. *The Supreme Court, Constitutional Revolution in Retrospect*. New York: Ronald Press, 1957. Pp. 429. \$6.50.

Professor Schwartz has written a very ambitious book which attempts, in the words of the preface, to "deal with all the important areas of the Court's work, while at the same time seeking to avoid the arid pedantry all too often characteristic of the legal treatise." The central theme is the 1937 constitutional "revolution" and the author's belief that the post 1937 Court has functioned in accordance with the separation of power's strait-jacket the Court imposed upon itself in the 1937 decisions. It is also announced that the "non-lawyer" should be able to understand the significance of these concerns. The reviewer believes that Professor Schwartz has accomplished just about everything he proposed to do, with the possible caveat that the "non-lawyer" might need some background in government or political science to feel *completely* at ease.

Chapter I, The Court and Constitutional Revolution, discusses the "old" constitutional law and the judicial restraint implicit in the decisions rendered after 1936. Chapters II through IV deal with the review function of the Court, its inhibitory possibilities, in relation to the Congress, President, and the administrative agencies and practices. Chapter V, The Courts, describes the case or contro-

versy problem, political questions and the difficulties the Court has encountered in its new judicial restraint role. Chapters VI through IX explain, as Professor Schwartz sees it, the constitutional relation of the Court to federalism, individuals' rights, and to the national government in war and during the cold war. Chapter X contains the author's concept of the constitutional stage on which the Court should act, the play itself, and the proper drama techniques for the justices.

There is a great deal in this work with which a reader, who has already made his peace with a particular constitutional philosophy, could argue. This would follow from the fact that the author has frequently infiltrated his opinion. Professor Schwartz passionately desires maintenance of state power in the Republic but chides the Court for authorizing state regulation and taxation of commerce. He is perfectly happy with the value judgments of Justice Frankfurter in due process decisions but severely criticizes Justice Black's stand on the so-called "preferred position" of the first amendment freedoms—certainly no less a personal value judgment. There are a number of these inconsistencies. It should also be noted that Professor Schwartz's well known conservative views on judicialization of the administrative process, court review of that process and judicial restraint (almost abdication) in the effectuation of "civil liberties" are not missing in these pages.¹

The Supreme Court, Constitutional Revolution in Retrospect is presented in scholarly fashion and is well documented. Constitutional law teachers will find that it is a good text to assign, for collateral reading purposes, to their classes. In particular, they will be interested in Professor Schwartz's analysis of the implications inherent in the post 1937 Court's deference to the legislative will. This reviewer

believes that this book should be in all law libraries.

CLIFFORD C. ALLOWAY

University of Miami
School of Law

Shera, Jesse H., Kent, Allen and Perry, James W., editors. *Information Systems in Documentation*. New York: Interscience Publishers, 1957. Pp. 659. \$12.00.

Published in this volume are the revised versions of papers presented during the Symposium on Systems for Information Retrieval, held under the auspices of the School of Library Science of Western Reserve University and of its Center for Documentation and Communication Research, April 15-17, 1957. Altogether there are some thirty-four papers, many of them accompanied by references and most of them well illustrated. Chapters I to V, which correspond to the first five papers, are theoretical in nature. The remainder of the individual papers are on the operational-concrete level in that they describe the experiments and the individual experiences. Papers numbered 6-9 deal with the documentation problem in specialized fields. Papers numbered 10-13 deal with the setting up of semi-automatic systems. Papers numbered 14-22 describe systems using accounting or statistical types of machines. Papers numbered 23-28 deal with systems using computers or computer-like devices. Papers numbered 29-34 deal with cooperative information processing. The diversity of the subject matter fields reporting, including the MacKinnon, Leary, and Levinson application to legal research, the Patent Office problem, the human relations area files, as well as pharmacology, metallurgy, and biochemistry, will make this an invaluable starting point for anyone interested in the field. Most of the papers are comprehensible without a depth background in mathematics. The volume is highly recommended for both law libraries and special collections.

VINCENT E. FIORDALISI

Rutgers University
School of Law

1. And it would seem that the author's deification of Justice Frankfurter (in the Holmes' image) might bear scrutiny. Some people believe Justice Black isn't quite as black as here pictured.

Sipkov, Ivan. *Legal Sources and Bibliography of Bulgaria*. Vladimir Gsovski, General Editor. New York: F. A. Praeger, for Free Europe Committee, Inc., 1957. Pp. 199. \$5.00.

This is the second in a series of bibliographies prepared by the Mid-European Law Project at the Library of Congress and published by the Mid-European Studies Center. It is of particular interest not only because little is known of Bulgarian legal developments but also because it is the first bibliography of its kind in either Bulgarian or English. The first two chapters present a general survey of the political and legal developments of Bulgaria throughout its history, analyze the Bulgarian system of legal sources, and discuss the significance and functions of legislative and executive acts in the legal order of past and present Bulgaria. Chapters three to six include, consecutively numbered, individual listings of sources, legal periodicals, bibliographies, and books and articles.

The coverage is intended to be most complete for titles in Bulgarian and English and selective for French, German and Russian titles. Bulgarian and Russian titles are accompanied by free English translations. As in the earlier volume on Hungary, LC holdings are indicated by a symbol. Added to the bibliography is a list of principal legislative enactments in effect as of January 1, 1956, arranged by subject and giving the gist of the enactment in English and the transliteration of its Bulgarian title. Author, title and subject indexes and a table of transliteration complete the volume. Although the value of this bibliography could still have been enhanced by making the sections in the Western languages more comprehensive, it will be invaluable to the researcher in a field to which access always has been difficult.

KURT SCHWERIN

Northwestern University
School of Law

Swisher, Carl Brent. *The Supreme Court in Modern Role*. New York: New York

University Press, 1958. Pp. 214. \$4.95.

The material in this work was presented by Professor Swisher in the 1957 James Stokes Lectureship on Politics at New York University. The book is organized in six chapters, in which he writes about the place of the Supreme Court in our constitutional history, the inhibitory effect of the Court on government, how the Court has dealt with the impact of government on "civil liberties" in connection with the "threat of subversion," the Court's function in defining and limiting the war and allied powers, "Race and the Constitution," and his conception of the Supreme Court's place in our constitutional sun under a modern theory of separation of powers.

Several things disturbed me while reading this book. The least of these would not be the superficiality involved. Nothing is treated in depth and much is treated speciously.¹ One can also charge that, with the exception of Chapter VI, *The Goal of Judicial Endeavor*, the materials simply restate that which serious scholarship has already accomplished.²

The notes to each chapter are collected at the end of the book; there is also a short index.

Evaluation of *The Supreme Court in Modern Role* in relation to library budgets is simple. Very little, if anything, has been added to, or subtracted from, United States constitutional scholarship.

CLIFFORD C. ALLOWAY

University of Miami
School of Law

Taussig, J. K., Jr., and others. *Military Law*. Annapolis: U. S. Naval Institute, 1958. Pp. 90. \$2.00.

This little book is designed as a text supporting the Midshipmen's course in

1. *E.g.*, Chapter V, *Race and the Constitution*, is probably misleading to other than informed readers when compared with any number of articles covering facets of this problem or to such a work as BLAUSTEIN AND FERGUSON, *DESEGREGATION AND THE LAW* (1957).

2. The reviewer recommends, for example, SCHWARTZ, *THE SUPREME COURT* (1957), reviewed elsewhere in this issue.

Military Law at the U. S. Naval Academy. The course, according to the Introduction, consists of 16 hours of instruction, and the book is happily divided into 16 short chapters. Thus, it is quite suitable and adaptable for the purpose expressed.

Designed for the instruction of laymen at the college level, with the addition of appropriate lectures and training films, the book fulfills a real need. Every year large numbers of young officers, without legal training, must be firmly indoctrinated in the principles of Military Justice since they will soon be performing vital roles in the administration of it. Yet the books available for such instruction are extremely few. The *Manual for Courts-Martial* (including the Naval Supplement thereto) is a tool for the practitioner and not a text for the student. A readable explanation of the whole system is needed for the uninitiated. Printed in double columns, on quality paper, and in large type, the Naval Institute's *Military Law* satisfies that need.

The book is obviously of no benefit to the researcher. Covering the whole field in just 90 pages, it can touch only on the highlights and general principles. Rules of Evidence and Trial Procedure are afforded the largest treatment with three chapters being devoted to each. Even then the Evidence chapters are largely in outline form with the student being referred to the *Manual for Courts-Martial* for further explanation. Only a few of the many "code offenses" or crimes are discussed, but this is probably not a serious defect in the Midshipman's education as undoubtedly many others are covered by film presentation, lecture, or reference to the *Manual*.

This little volume should be of inestimable value to the non-lawyer studying court-martial procedure, particularly if he has access to supplemental materials. The lawyer with no knowledge of court-martial techniques, can acquire a quick panoramic view of the whole procedure from which he can then proceed to supplement his knowledge.

This book is recommended for those

who need or desire a bird's-eye view of court-martial procedures. As a text in undergraduate school in conjunction with other materials, it should be most valuable. Those who have need for detailed treatment or research materials, however, will not find it here.

RALPH E. BOYER

University of Miami
School of Law

Traver, Robert. *Anatomy of a Murder*. New York: St. Martin's Press, 1958. Pp. 437. \$4.50.

Murder trials are a fertile source of material for the novelist. Trollope's *Phineas Redux*, Dreiser's *An American Tragedy* and Cozzens' *Just and the Unjust* are splendid examples of the professional novelist writing about a most dramatic aspect of the law. Mr. Traver's book reverses the approach in that a professional lawyer (now a judge) writes about the law in novel form.

Paul Biegler, a balding, fortyish ex-D.A., is the conscientious protagonist who prevails on a jury to find his client not sane at the time he murders the man who has raped his sweater-wearing wife. Over half of the book concerns the trial replete with objections overruled, damaging testimony of witnesses, surprise maneuvers and the subtle employment of the real hero of this book—the law and all its embodiments.

As a novel this book certainly suffers in comparison with those mentioned above. Characters are typed and stereotyped, the wisecrack is painfully used by every character and the plot never quite thickens even with a mixture of rape and murder.

What redeems the novel is the author's loving tenderness towards the law. The author explains our adversary type of litigation, he takes us from the "lecturing" of a client to what happens when you delay your fee-taking. The trial is exciting because you have prepared the case with Biegler and his sidekick and you see it reach a well-deserved conclusion.

This book is recommended for those

among us who lack the romance to see the dramatic impact behind an upper court opinion.

EDWARD J. BANDER

U. S. Court of Appeals Library, Boston

Zimmermann, Erich W. *Conservation in the Production of Petroleum*. New Haven, Conn.: Yale University Press, 1957. Pp. 417. \$6.00.

This book does not purport to be the definitive work on petroleum production conservation. It appraises the socio-economic justification of the present conservation program by surveying the history, problems (both solved and unresolved), accomplishments and weaknesses of the program from the vantage point of a resource economist. The result is an unequivocal endorsement of the petroleum conservation program as socially desirable, despite recognition that considerable room remains for further improvement. This approach complements the legal analysis in Robert Hardwicke's well-known articles, the historical background provided by Blakely Murphy's *Conservation of Oil and Gas, A Legal History*,

1948 (American Bar Association, 1949) and the engineering appraisal found in Stuart Buckley's *Petroleum Conservation* (American Institute of Mining and Metallurgical Engineers, 1951).

The additional insight provided by this policy study commends it to students of the oil industry. The intrinsic merit of the work is heightened by the author's semantic precision, his thorough research (the bibliography is excellent) and his patent absence of bias. While the ample documentation suggests use as a reference work, its ease of style renders the book palatable for even the casual reader.

The overall physical appearance of the book is attractive. The paper is of good quality; the binding is firm; type is easily read but observant of space economy; margins are well proportioned.

Purchase is recommended for law school libraries, law libraries of practitioners with oil industry clients, general libraries in oil producing states and large libraries throughout the country.

GEORGE S. WOLBERT, JR.

Member, New York and
Oklahoma Bars

CURRENT PUBLICATIONS*

by DOROTHY SCARBOROUGH AND VIRGINIA DUNLAP

Joint Editors

Accounting

Trueger, P. M. Accounting guide for defense contracts. 2d ed. Chicago, Commerce Clearing House, 1958. 480p. \$12.50.

Administration of justice

Lunden, W. A. The courts and criminal justice in Iowa. Ames, Iowa State College, 1957. 133p. Price? (Mimeo.)

McRuer, J. C. Evolution of the judicial process. Toronto, Clarke, Irwin, 1957. 115p. \$3.00. (Saskatchewan Univ., W. M. Martin lectures, 1956)

Administrative law

Griffith, J. A. G. and Street, H. Principles of administrative law. 2d ed. London, Pitman, 1957. 324p. 40s.

Advocates and advocacy

Malik, B., ed. The art of a lawyer: advocacy, cross-examination and courtmanship. Allahabad, University Book Agency, 1957. 450p. Rs.20.

Airspace

Haley, A. G. Space law; the development of jurisdictional concepts. New York (500 Fifth Ave.), American Rocket Society, 1957. 33p. Price? (Mimeo.)

Alien property

Foighel, Isi. Nationalization: a study in the protection of alien property in international law. London, Stevens, 1957. 136p. 28s.6d.

Aliens

Common Council for American Unity. The alien and the immigration law; a study of 1446 cases . . . under the direction of Edith Lowenstein. New York, Oceana, 1958. 388p. \$7.50.

Annuities

Insurance Research and Review Service, Indianapolis. Fundamentals of Federal income, estate and gift taxes, with emphasis on life insurance and annuities. 3d ed. by Edwin H. White. Indianapolis, 1957. 216p. \$5.75.

*Current Publications is a selection by subject of items appearing in the monthly list of *Current Publications in Legal and Related Fields*.

Anti-trust law

American Bar Association. Section of Antitrust Law. An antitrust handbook. Chicago, 1958. 581p. Price?

Fugate, W. L. Foreign commerce and the antitrust laws. Boston, Little, Brown, 1958. 384p. \$16.00.

Winston, A. P. Judicial economics; the doctrine of monopoly as set forth by judges of the U. S. Federal Courts in suits under the anti-trust laws. Austin, Texas (4601 Horseshoe Bend), The Author, 1957. 175p. \$1.00.

Appellate procedure

Joiner, C. W. Trials and appeals; cases, text, statutes, rules, and forms. Englewood Cliffs, N. J., Prentice-Hall, 1957. 594p. \$9.50.

Atomic energy

European Atomic Energy Community. Treaty establishing the European Atomic Energy Community (EURATOM) and connected documents. Luxembourg (2 Place de Metz), Interim Committee for the Common Market and Euratom, 1957. 222p. \$1.00. (Paper)

Bankruptcy

Gt. Brit. Board of Trade. Committee on Bankruptcy Law and Deeds of Arrangement Law Amendment. Report, July 1957. London, H.M. Stat. Off., 1957. 101p. 4s.6d. (Command paper, 221)

Griffiths, Oswald. The law relating to bankruptcy, deeds of arrangement, receiverships and trusteeships. 6th ed. Harpenden, Textbooks, Ltd., 1957. 260p. 20s.

Bar associations

Canadian bar journal. Vol. 1, No. 1. February 1958. Ottawa, Canadian Bar Assn., 1958. Price? (6 issues per year)

Missouri bar courts bulletin. Vol. 1, No. 1. January 31, 1958. Jefferson City, Mo., 1958. Price? (Mimeo.)

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Canada

Wilkinson, A. B. Your Canadian law; legal and business rights for everyone. Toronto, Musson, 1957. 96p. \$3.50. (Paper, \$1.95)

Civil procedure

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State Bar of California. Committee on Continuing Education of the Bar. California civil procedure before trial. Ed. by F. F. Stumpf and others. Berkeley, Univ. of California, University Extension, 1957. 978p. \$16.00. (California practice handbook, no.8)

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Hand, Learned. The Bill of rights. Cambridge, Harvard Univ. Press, 1958. 82p. \$2.50. (Oliver Wendell Holmes lectures, 1958)

Newman, E. S. Law of civil rights and civil liberties. Rev. ed. New York, Oceana, 1958. 96p. \$2.00. (Paper, \$1.00) (Legal almanac series, v.13)

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Constitutional conventions

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Smith, J. M. and Murphy, P. L. Liberty and justice; a historical record of American constitutional development. New York, Knopf, 1958. 567p. \$6.75.

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Canada. Court Martial Appeal Board. Court martial appeal reports. Vol. 1, 1952-55. Ottawa, Edmond Cloutier, 1957. 319p. \$3.00.

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Johnson, E. L. Family law. London, Sweet & Maxwell, 1958. 325p. 37s.

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Hamilton, W. H. The politics of industry. New York, Knopf, 1957. 169p. \$3.50. (W. W. Cook Foundation lectures, Univ. of Michigan Law School)

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McDonnell, T. L. The Wagner housing act; a case study of the legislative process. Chicago (3441 N. Ashland), Loyola Univ. Press, 1957. 470p. \$4.00.

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Harnett, Bertram. Capital gains and losses. Rev. to November 1957. New York, Practising Law Institute, 1957. 76p. \$2.00.

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- Hamilton, W. H. The politics of industry. New York, Knopf, 1957. 169p. \$3.50 (W. W. Cook Foundation lectures, Univ. of Michigan Law School)

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- Callahan, Parnell. Legal status of young adults. New York, Oceana, 1958. 96p. \$2.00. (Paper, \$1.00) (Legal almanac series, v.46)
- Wingo, E. L. Mississippi law of divorce, annulment, separate maintenance, child support and custody and amended adoption laws. Hattiesburg, Miss., The Author, 1957. 210p. \$10.00.

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- Beattie, C. N. Elements of estate duty. 2d ed. London, Butterworth, 1957. 190p. 27s.6d.
- Beveridge, J. W. Law of Federal gift taxation. Chicago, Callaghan, 1958. 479p. \$20.00.
- Graham, G. B. An estate duty notebook. 2d ed. London, Solicitors' Law Stationery Society, 1957. 141p. 17s.6d.

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- Bland, D. S., ed. Early records of Furnival's Inn. Edited from a Middle Temple manuscript. Newcastle upon Tyne, King's College, 1957. 61p. Price?

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- Kabes, Vladimir and Sergot, Alfons. Blueprint of deception; character and record of the International Association of Democratic Lawyers. 's-Gravenhage, Mouton, 1957. 365p. Glds.18.

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- Deener, D. R. The United States attorneys general and international law. The Hague, Nijhoff, 1957. 416p. Glds.26.50.
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- Salvadori, Massimo. NATO; a twentieth-century community of nations. Princeton, N. J., Van Nostrand, 1957. 189p. \$1.25. (Paper)

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- Israel. Ministry of Justice. Draft companies bill for the State of Israel. Prepared, annotated and translated from the Hebrew by the Ministry of Justice. Cambridge, Mass., Harvard-Brandeis Cooperative Research on Israel's Legal Development, 1957. 98p. Price?

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- Gerhart, E. C. America's advocate: Robert H. Jackson. Indianapolis, Bobbs-Merrill, 1958. 545p. \$7.50.

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- Carpenter, W. S. Foundations of modern jurisprudence. New York, Appleton-Century-Crofts, 1958. 230p. \$3.25.
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- Bureau of National Affairs. Editorial Staff. The McClellan committee hearings, 1957.

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- Foa, E. General law of landlord and tenant. 8th ed. by H. Heathcote-Williams and others. Ipswich, Suffolk, Thames Bank Pub. Co., 1957. 1060p. £8 8s.
- Legal education*
- Redden, K. G. Legal education in Turkey; a comparative study. Istanbul, Fakolteiler Matbassı, 1957. 146p. Price? (Ankara Univ., Faculty of Law—New York Univ., Graduate School of Public Administration and Social Service. Joint publication series, 6)
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- Maitland, F. W. Selected historical essays. Chosen and introduced by Helen M. Cam. New York, Cambridge Univ. Press in association with the Selden Society, 1957. 278p. \$5.00.
- Windeyer, W. J. V. Lectures on legal history. 2d ed. rev. Sydney, Law Book Co. of Australasia, 1957. 335p. 45s.
- Legal miscellany*
- Dobie, W. J. Plain tales from the courts; reminiscences of a Scottish sheriff-substitute. Edinburgh, W. Green, 1957. 296p. 25s.
- Furneaux, Rupert. The medical murderer. London, Elek Books, 1957. 159p. 16s.
- Herbert, A. P. No fine on fun: the comical history of the entertainments duty. London, Methuen, 1957. 200p. 15s.
- Morland, Nigel. This friendless lady. London, F. Muller, 1957. 254p. 18s. (Florence Elizabeth Maybrick)
- Noyes, Alfred. Accusing ghost, or Justice for Casement. London, Gollancz, 1957. 191p. 15s.
- Voelker, J. D. Anatomy of a murder, by Robert Traver, pseud. New York, St. Martin's Press, 1958. 437p. \$4.50. (A novel)
- Legal profession*
- Dickinson School of Law, Carlisle, Pa. The lawyer's function in our society today. 1st annual convocation, March 16, 1957. Carlisle, Pa., 1957. 30p. Apply.
- Legislative power*
- Marshall, Geoffrey. Parliamentary sovereignty and the Commonwealth. New York, Oxford Univ. Press, 1957. 277p. \$5.60.
- Liberty*
- Traditions of freedom. Ed. by Milton Mayer for the Fund for the Republic. New York, Oceana, 1957. 766p. \$7.50.
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- Leonard, V. A., ed. Academy lectures on lie detection. Vol. 1. Springfield, Ill., Thomas, 1957. 112p. \$3.75. (Academy for Scientific Interrogation)
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- Angle, P. M., ed. Created equal? The complete Lincoln-Douglas debates of 1858. Chicago, Univ. of Chicago Press, 1958. 422p. \$7.50.
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